

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution authorizing the Secretary of War to furnish condemned cannon for a monument to the soldiers of Worcester County, Mass., who served in the war for the Union, to be surmounted by an equestrian statue of the late Maj. Gen. Charles Devens, United States Volunteers."

#### EXPENDITURES IN CUBA.

Mr. PLATT of Connecticut. I present a communication addressed to me by the Secretary of War, transmitting a statement of receipts and expenditures in Cuba for the months of May and June, 1900, and also requesting that an appropriation of \$10,000 be made to enable the War Department to continue the preparation of the report of expenditures in Cuba since April 30, 1900. I move that the communication be referred to the Committee on Appropriations, to be considered in connection with the general deficiency appropriation bill.

The motion was agreed to.

#### EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 17, 1902, at 11 o'clock a. m.

#### NOMINATIONS.

*Executive nominations received by the Senate June 16, 1902.*

##### REGISTER OF LAND OFFICE.

Charles A. Blake, of South Dakota, to be register of the land office at Huron, S. Dak., his term having expired. (Reappointment.)

##### POSTMASTERS.

Caleb S. Brinton, to be postmaster at Carlisle, in the county of Cumberland and State of Pennsylvania, in place of Charles F. Humrich. Incumbent's commission expired January 31, 1902.

Frederick Brunhouse, to be postmaster at Mechanicsburg, in the county of Cumberland and State of Pennsylvania, in place of John S. Weaver. Incumbent's commission expired January 14, 1902.

##### MEMBERS OF BOARD OF CHARITIES.

Simon Wolf, of the District of Columbia, to be a member of the board of charities of the District of Columbia for the term of three years from July 1, 1902. (Reappointment.)

Charles P. Neill, of the District of Columbia, to be a member of the board of charities of the District of Columbia for the term of three years from July 1, 1902. (Reappointment.)

##### CONSUL.

Joseph E. Proffit, of West Virginia, to be consul of the United States at Pretoria, South Africa, vice Adelbert S. Hay, resigned.

##### PROMOTION IN THE NAVY.

Capt. Charles E. Clark, to be advanced seven numbers in rank and to be a rear-admiral in the Navy, from the 16th day of June, 1902, to take rank next after Rear-Admiral Henry Glass and to be an additional number in the grade of rear-admiral.

### HOUSE OF REPRESENTATIVES.

MONDAY, June 16, 1902.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Saturday, June 14, was read, corrected, and approved.

#### ORDER OF BUSINESS FOR THURSDAY NEXT ET SEQ.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Wisconsin asks for the present consideration of a resolution which the Clerk will report to the House.

The Clerk read as follows:

Mr. COOPER, chairman of the Committee on Insular Affairs, submits the following request for unanimous consent:

That immediately after the reading of the Journal on Thursday, June 19, and each day thereafter until and including Thursday, June 26, the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of Senate bill 2235.

That general debate on said bill shall continue for five days.

That after Thursday, June 19, and during the continuance of this order, the House shall meet each day at 11 o'clock, and at 5 o'clock on each day a recess shall be taken until 8 o'clock for evening sessions, which evening ses-

sions shall continue not later than 10.30 p. m., and be devoted to debate only on said bill.

That on Wednesday, June 25, the House in Committee of the Whole shall immediately proceed with the consideration of the said bill under the five-minute rule; that consideration of the text of the Senate bill for amendment shall be waived, and the Committee of the Whole shall proceed to consider, for discussion and amendment by sections the substitute amendment proposed by the Committee on Insular Affairs: *Provided, however*, That at any time amendments may be offered on behalf of said committee to any part of said substitute amendment.

That at 4 o'clock on Thursday, June 26, the Committee of the Whole shall rise and report said bill and all pending amendments to the House, and thereupon the previous question shall be considered as ordered upon the bill and all pending amendments thereto, including one amendment in the nature of a substitute to be offered by the minority of the Committee on Insular Affairs, to final disposition without intervening motions.

That leave is hereby granted to all members speaking on said bill to extend their remarks in the RECORD.

*Provided*, That this order of the House shall not interfere with the consideration of appropriation or revenue bills, conference reports, or Senate amendments to House bills. If, however, the consideration of any such bills or reports consumes an hour or more of the time of the House on any day during the continuance of this order then the time for the consideration of the bill S. 2235 and the time for reporting the same to the House by the Committee of the Whole shall be correspondingly extended. Such extension of time to apply to the debate under the five-minute rule.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. COOPER of Wisconsin. Mr. Speaker, I desire to say to the House—

Mr. RICHARDSON of Tennessee. The right to object is reserved, of course.

The SPEAKER. The Chair understands.

Mr. COOPER of Wisconsin. That this resolution has the unanimous approval of the Committee on Insular Affairs.

Mr. HILL. I desire to reserve the right to object.

The SPEAKER. Is there objection?

Mr. HILL. As I understand the rule, it provides for action on the bill without any amendment except such amendments as are proposed by the committee. Am I correct?

The SPEAKER. That is not the effect of the rule at all.

Mr. HILL. Will it be in order to move an amendment to the substitute, so far as the coinage provisions are concerned, under the rule?

The SPEAKER. If it is reached in Committee of the Whole, it will be.

Mr. DINSMORE. Is it not the effect of the resolution that the substitute shall be open only to amendments of the committee?

Mr. GAINES of Tennessee. That is the way I understood it, and that is why I want to inquire about it.

Mr. COOPER of Wisconsin. That is not the effect of the rule. Mr. Speaker, I call the attention of the House to the phraseology of the rule:

That on Wednesday, June 25, the House, in Committee of the Whole, shall immediately proceed with the consideration of the said bill—

That is, the Senate bill—

under the five-minute rule; that consideration of the text of the Senate bill for amendment shall be waived, and the Committee of the Whole shall proceed to consider, for discussion and amendment, by sections, the substitute amendment proposed by the Committee on Insular Affairs.

The effect of that is to bring the House to the immediate consideration, under the five-minute rule, of the bill reported by the Committee on Insular Affairs of the House for amendment by sections.

When the committee amendments are disposed of the bill shall be taken up and voted on at 4 o'clock.

*Provided, however*, At any time amendments may be offered on behalf of said committee to any part of said substitute amendment.

Mr. RICHARDSON of Tennessee. Let me ask the gentleman if the effect of that proposition is not to enable the Insular Committee, if it sees fit to do so, to have amendments pending during the entire two days that the bill is open for amendment under the five-minute rule, engrossing the entire time, so that other amendments can not be offered.

Mr. COOPER of Wisconsin. Mr. Speaker, I desire to say to the gentleman from Tennessee that nothing is further from the intention of the Committee on Insular Affairs than the course indicated by the gentleman.

Mr. RICHARDSON of Tennessee. Now, then, I accept that statement.

Mr. COOPER of Wisconsin. Speaking for myself, as chairman of the committee, if I may be permitted to control the conduct of affairs on behalf of the committee, nothing of that kind will be tolerated.

Mr. RICHARDSON of Tennessee. I accept that; therefore I shall not object, inasmuch as the minority members of the Committee on Insular Affairs have agreed to this rule; but I do desire to say that there is a serious objection to a rule with this provision, that at the end of two days, at the hour fixed by this rule, the bill must be reported from the Committee of the Whole House to the House of Representatives and a vote taken. Now, suppose at that hour the completion of the bill has not been had in the Committee of the Whole; in other words, suppose that the committee has not completed the reading of the House bill, under

the five-minute rule for amendments. If the rule is agreed to, it must be reported, and possibly one-half of the bill not read in the Committee of the Whole under the five-minute rule. Now, that is not right.

Mr. COOPER of Wisconsin. Mr. Speaker, I desire to say for the information of the gentleman from Tennessee that that view of the situation was all discussed in the Committee on Insular Affairs. There are many sections of the bill to which there will be no amendment offered, which is perfectly apparent on reading the bill, such as to confirm the acts of the President in appointing the Commission and confirming laws passed by the Commission.

Mr. RICHARDSON of Tennessee. I have no doubt that is true.

Mr. COOPER of Wisconsin. There are, however, some sections to which amendments will undoubtedly be offered.

Mr. RICHARDSON of Tennessee. I hope the consideration of the bill will be completed under the five-minute rule in the two days, but I do not believe that we should have agreed—that the committee should have agreed—to a proposition which brings us arbitrarily to a vote at a given hour, whether we have completed the reading of the bill or not for amendment. But I shall not object.

Mr. COOPER of Wisconsin. The objection of the gentleman from Tennessee is applicable to every rule brought in here on the part of the Committee on Rules.

Mr. RICHARDSON of Tennessee. Oh, no. We ought not to have had a rule that did not provide for completing the reading of the bill under the five-minute rule. We ought to complete it. That is the proper way.

Mr. COOPER of Wisconsin. I will say to the gentleman it is the unanimous opinion of the minority of the committee that two days under the five-minute debate, beginning at 11 o'clock in the forenoon, would suffice to complete the bill by sections for amendment.

Mr. GAINES of Tennessee. Will the gentleman allow me to ask him a question?

Mr. COOPER of Wisconsin. Certainly.

Mr. GAINES of Tennessee. I understood from the reading of the rule, and evidently several of my colleagues so understood, that no amendment would be allowed to the bill at any time unless offered by members of the Insular Committee. Is that so?

Mr. COOPER of Wisconsin. The gentleman misapprehends the purpose entirely.

Mr. GAINES of Tennessee. I am glad that I misunderstood it.

Mr. UNDERWOOD. I wish the gentleman would yield to me.

Mr. COOPER of Wisconsin. Certainly.

Mr. UNDERWOOD. Mr. Speaker, I wish to say that the reason I will not object to this rule, although there is good reason, is because the minority members of the Insular Committee have agreed to accept the rule as it is. The rule, it is true, may be used by the majority of the Committee on Insular Affairs to prevent any amendment being offered which this House or individual members may wish, if they desire to do so, by consuming the entire two days on committee amendments.

The rule provides that the committee may offer as an amendment to the whole bill a bill that is satisfactory to the minority of this House, to be voted upon, and therefore we on this side of the House have an opportunity to offer what we believe is a fair solution of this proposition. It has been nearly four years since the United States has had control of the Philippine Islands. We have been governing them by military government, by arbitrary rule, by czar-like power, and this is the first opportunity that the Republican party has given in this House for us to come to a proposition where we can offer an amendment to govern them by civil authorities. The rule, so far as we are concerned, provides that we may offer our substitute; and I believe that the minority members of the Insular Committee were correct in accepting this proposition.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

On motion of Mr. COOPER of Wisconsin, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

REBECCA J. TAYLOR.

Mr. GILLET of Massachusetts. Mr. Speaker, on behalf of the Committee on Reform in the Civil Service, I present a report on privileged resolution No. 295, and I move that the same lie on the table.

The Clerk read the resolution, as follows:

*Resolved by the House of Representatives of the United States of America, That the Secretary of War be, and is hereby, respectfully requested to communicate to the House of Representatives the causes and reasons for the dismissal of Rebecca J. Taylor from her position in the classified service in the War Department, if not incompatible with the interests of the public service.*

The SPEAKER. The question is on the motion of the gentleman from Massachusetts, that the resolution lie on the table.

Mr. SHALLENBERGER. And on that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 109, nays 85, answered "present" 14, not voting 143; as follows:

#### YEAS—109.

Allen, Me.	Eddy,	Kahn,	Rumple,
Applin,	Emerson,	Ketcham,	Scott,
Beidler,	Esch,	Knapp,	Shattuc,
Bingham,	Evans,	Kyle,	Sherman,
Bishop,	Fletcher,	Lacey,	Showalter,
Blackburn,	Foerderer,	Lawrence,	Sibley,
Bowersock,	Foss,	Lessler,	Smith, Ill.
Brick,	Foster, Vt.	Lewis, Pa.	Smith, S. W.
Bristow,	Gaines, W. Va.	Long,	Southard,
Brown,	Gibson,	Loud,	Sperry,
Burk, Pa.	Gillet, N. Y.	Martin,	Steele,
Burke, S. Dak.	Graff,	Metcalf,	Stevens, Minn.
Burkett,	Grosvenor,	Mondell,	Stewart, N. J.
Burton,	Grow,	Moody, N. C.	Stewart, N. Y.
Calderhead,	Hamilton,	Moody, Oreg.	Storm,
Cannon,	Haskins,	Morris,	Sulloway,
Capron,	Hedge,	Needham,	Sutherland,
Conner,	Hemenway,	Olmsted,	Tawney,
Cooper, Wis.	Henry, Conn.	Otjen,	Tompkins, Ohio
Cousins,	Hepburn,	Palmer,	Tongue,
Crumpacker,	Hill,	Parker,	Van Voorhis,
Currier,	Hitt,	Patterson, Pa.	Vreeland,
Curtis,	Hopkins,	Payne,	Wachter,
Dalzell,	Hughes,	Pearre,	Warnock,
Darragh,	Hull,	Perkins,	Woods,
Dick,	Jenkins,	Powers, Me.	
Dovener,	Jones, Wash.	Ray, N. Y.	
Draper,	Joy,	Reeder,	

#### NAYS—85.

Allen, Ky.	Fleming,	McCleary,	Sims,
Ball, Tex.	Fox,	McCulloch,	Small,
Bartlett,	Gaines, Tenn.	McRae,	Smith, Ky.
Bellamy,	Gilbert,	Maddox,	Snodgrass,
Bowie,	Goldfogle,	Mickey,	Snook,
Brantley,	Griffith,	Miers, Ind.	Spight,
Breazeale,	Hay,	Minor,	Stark,
Bromwell,	Henry, Miss.	Moon,	Stephens, Tex.
Burleson,	Hooker,	Norton,	Swanson,
Burnett,	Howard,	Randell, Tex.	Thayer,
Butler, Mo.	Jackson, Kans.	Reid,	Thomas, N. C.
Candler,	Johnson,	Richardson, Ala.	Thompson,
Cassingham,	Jones, Va.	Richardson, Tenn.	Underwood,
Clayton,	Kitchin, Claude	Rixey,	Vandiver,
Cooper, Tex.	Kitchin, Wm. W.	Robb,	Wheeler,
Cowherd,	Kleberg,	Robinson, Ind.	Wiley,
Davis, Fla.	Lanham,	Rucker,	Williams, Miss.
De Armond,	Lester,	Ruppert,	Wooten,
Dinsmore,	Lewis, Ga.	Ryan,	Zenor,
Dougherty,	Little,	Selby,	
Edwards,	Livingston,	Shackelford,	
Fitzgerald,	Lloyd,	Shallenberger,	

#### ANSWERED "PRESENT"—14.

Adamson,	Loudenslager,	Padgett,	Skiles,
Boutell,	McClellan,	Pierce,	Tirrell,
Burgess,	Mann,	Pou,	
Gillet, Mass.	Mercer,	Roberts,	

#### NOT VOTING—143.

Acheson,	Dayton,	Klutz,	Ransdell, La.
Adams,	De Graffenreid,	Knox,	Reeves,
Alexander,	Deemer,	Lamb,	Rhea, Va.
Babcock,	Douglas,	Landis,	Robertson, La.
Ball, Del.	Driscoll,	Lassiter,	Robinson, Nebr.
Bankhead,	Elliott,	Latimer,	Russell,
Barney,	Feely,	Lever,	Scarborough,
Bartholdt,	Finley,	Lindsay,	Schirm,
Bates,	Flood,	Littauer,	Shafroth,
Bell,	Fordney,	Littlefield,	Shelden,
Belmont,	Foster, Ill.	Lovering,	Sheppard,
Benton,	Fowler,	McAndrews,	Slayden,
Blakeney,	Gardner, Mich.	McCall,	Smith, Iowa
Boreing,	Gardner, N. J.	McDermott,	Smith, H. C.
Broussard,	Gill,	McLachlan,	Smith, Wm. Alden
Brownlow,	Glenn,	McLain,	Southwick,
Brundidge,	Gooch,	Mahon,	Sparkman,
Bull,	Gordon,	Mahoney,	Sulzer,
Burleigh,	Graham,	Marshall,	Talbert,
Butler, Pa.	Green, Pa.	Maynard,	Tate,
Caldwell,	Greene, Mass.	Meyer, La.	Taylor, Ohio
Cassel,	Griggs,	Miller,	Taylor, Ala.
Clark,	Hall,	Morgan,	Thomas, Iowa
Cochran,	Hanbury,	Morrell,	Tompkins, N. Y.
Connell,	Haugen,	Moss,	Trimble,
Conry,	Heatwole,	Mudd,	Wadsworth,
Coombs,	Henry, Tex.	Mutchler,	Wanger,
Cooney,	Hildebrandt,	Napen,	Warner,
Corliss,	Holliday,	Neville,	Watson,
Creamer,	Howell,	Nevin,	Weeks,
Cromer,	Irwin,	Newlands,	White,
Crowley,	Jack,	Overstreet,	Williams, Ill.
Cushman,	Jackson, Md.	Patterson, Tenn.	Wilson,
Dahle,	Jett,	Powers, Mass.	Wright,
Davey, La.	Kehoe,	Prince,	Young,
Davidson,	Kern,	Pugsley,	

So the motion to lay the resolution on the table was agreed to.

Mr. ADAMSON. Mr. Speaker, I am paired with the gentleman from Pennsylvania, Mr. WANGER, and I desire to change my vote from "no" to "present."

Mr. COOPER of Texas. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in his seat and listening for his name when it should have been called?

Mr. COOPER of Texas. I was.

The SPEAKER. And failed to hear it?

Mr. COOPER of Texas. I did.



The SPEAKER. Call the gentleman's name.  
The Clerk called the name of Mr. COOPER of Texas, and he voted "no" as above recorded.

Mr. SIBLEY. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in his seat, listening, and failed to hear his name when it should have been called?

Mr. SIBLEY. I was listening and failed to hear it.

The Clerk called Mr. SIBLEY's name, and he voted "aye" as above recorded.

The following pairs were announced:

For the session:

Mr. WANGER and Mr. ADAMSON.

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. IRWIN with Mr. GOOCH.

Mr. YOUNG with Mr. BENTON.

Mr. BULL with Mr. CROWLEY.

Mr. WRIGHT with Mr. HALL.

Mr. HEATWOLE with Mr. TATE.

Mr. BOREING with Mr. TRIMBLE.

Mr. RUSSELL with Mr. McCLELLAN.

Mr. MORRELL with Mr. GREEN of Pennsylvania.

Mr. DEEMER with Mr. MUTCHELLER.

Mr. COOMBS with Mr. DAVEY of Louisiana.

Until further notice:

Mr. FOSTER of Vermont with Mr. POU.

Mr. JACK with Mr. FINLEY.

Mr. MILLER with Mr. LEVER.

Mr. SKILES with Mr. TALBERT.

Mr. WARNER with Mr. CALDWELL.

Mr. TIRRELL with Mr. CONRY.

Mr. FORDNEY with Mr. BURGESS.

Mr. MCCALL with Mr. ROBERTSON of Louisiana.

Mr. DAVIDSON with Mr. SPARKMAN.

Mr. GILL with Mr. SULZER.

Mr. MARSHALL with Mr. WILSON.

Mr. BROWNLOW with Mr. PIERCE.

Mr. BARNEY with Mr. MCRAE.

Mr. CONNELL with Mr. KLUTTZ.

Mr. HILDEBRANT with Mr. MAYNARD.

Mr. MANN with Mr. JETT.

Mr. BOUTELL with Mr. GRIGGS.

Mr. HENRY C. SMITH with Mr. TAYLOR of Alabama.

Mr. LOUDENSLAGER with Mr. DE GRAFFENREID.

Mr. LANDIS with Mr. CLARK.

For this day:

Mr. WATSON with Mr. WHITE.

Mr. THOMAS of Iowa with Mr. PATTERSON of Tennessee.

Mr. MAHON with Mr. NEWLANDS.

Mr. LOVERING with Mr. NEVILLE.

Mr. LITTLEFIELD with Mr. MAHONEY.

Mr. LITTAUER with Mr. McLAIN.

Mr. HOWELL with Mr. LATIMER.

Mr. KNOX with Mr. McDERMOTT.

Mr. HOLLIDAY with Mr. LAMB.

Mr. HAUGEN with Mr. KERN.

Mr. HANBURY with Mr. KEHOE.

Mr. GARDNER of New Jersey with Mr. GLENN.

Mr. GARDNER of Michigan with Mr. FLOOD.

Mr. DOUGLAS with Mr. ELLIOTT.

Mr. CUSHMAN with Mr. COONEY.

Mr. BATES with Mr. COCHRAN.

Mr. BALL of Delaware with Mr. BELL.

Mr. ALEXANDER with Mr. BANKHEAD.

Mr. OVERSTREET with Mr. RANDELL.

Mr. POWERS of Massachusetts with Mr. ROBINSON of Nebraska.

Mr. PRINCE with Mr. SCARBOROUGH.

Mr. SHELDEN with Mr. SHAFROTH.

Mr. WM. ALDEN SMITH with Mr. SLAYDEN.

Mr. MERCER with Mr. HENRY of Texas.

Mr. ADAMS with Mr. GORDON.

Mr. MUDD with Mr. LASSITER.

Mr. ACHESON with Mr. BRUNDIDGE.

Mr. SOUTHWICK with Mr. BROUSSARD.

Mr. BINGHAM with Mr. CREAMER.

Mr. CORLISS with Mr. FEELY.

Mr. SMITH of Iowa with Mr. PADGETT.

Mr. SCHIRM with Mr. FOSTER of Illinois.

Mr. BABCOCK with Mr. McANDREWS.

On this vote:

Mr. CREAMER with Mr. LINDSAY.

Mr. ROBERTS with Mr. BELMONT.

Mr. TAYLER of Ohio with Mr. BOWIE, until Wednesday.

Mr. GILLET of Massachusetts with Mr. NAPHEN, until the 12th.

Mr. BUTLER of Pennsylvania with Mr. RHEA of Virginia, until Thursday.

Mr. WEEKS with Mr. SHEPPARD, for two weeks.

#### NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I desire unanimous consent to call up from the Speaker's table the naval appropriation bill.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. What is the object?

Mr. FOSS. My object is to ask unanimous consent that the House nonconcur in the Senate amendments and ask a conference.

The SPEAKER. The Chair hears no objection to taking up these amendments. The question now is on the request of the gentleman from Illinois, that the House nonconcur in the Senate amendments, and ask for a conference with the Senate. Is there objection?

There was no objection.

The SPEAKER announced the appointment of Mr. FOSS, Mr. DAYTON, and Mr. MEYER of Louisiana as conferees on the part of the House.

#### AMENDMENTS TO INDIAN APPROPRIATION ACT.

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass with an amendment Senate resolution No. 105.

The joint resolution (S. 105) supplementing and modifying certain provisions of the Indian appropriation act for the year ending June 30, 1903, was read as amended, as follows:

In addition to the allotments in severalty to the Uintah and White River Utes of the Uintah Indian Reservation in the State of Utah, the Secretary of the Interior shall, before any of said lands are opened to disposition under any public land law, select and set apart for the use in common of the Indians of that reservation such an amount of nonirrigable grazing lands therein at one or more places as will subserve the reasonable requirements of said Indians for the grazing of live stock.

All allotments hereafter made to Uncompahgre Indians of lands in said Uintah Indian Reservation shall be confined to agricultural land which can be irrigated, and shall be on the basis of 80 acres to each head of a family and 40 not allotted to Indians or used or reserved by the Government, or occupied for school purposes, shall be opened to exploration, location, occupation, and purchase under the mining laws.

In addition to the allotment in severalty of lands in the Walker River Indian Reservation in the State of Nevada, the Secretary of the Interior shall, before any of said lands are opened to disposition under any public land law, select and set apart for the use in common of the Indians of that reservation such an amount of nonirrigable grazing lands therein at one or more places as will subserve the reasonable requirements of said Indians for the grazing of live stock.

In addition to the allotments in severalty to the Uintah and White River Utes of the Uintah Indian Reservation in the State of Utah, the Secretary of the Interior shall, before any of said lands are opened to disposition under any public land law, select and set apart for the use in common of the Indians of that reservation such an amount of nonirrigable grazing lands therein at one or more places as will subserve the reasonable requirements of said Indians for the grazing of live stock.

All allotments hereafter made to Uncompahgre Indians of lands in said Uintah Indian Reservation shall be confined to agricultural land which can be irrigated, and shall be on the basis of 80 acres to each head of a family and 40 acres to each other Indian, and no more. The grazing land selected and set apart as aforesaid in the Uintah Indian Reservation for the use in common of the Indians of that reservation shall be equally open to the use of all Uncompahgre Indians receiving allotments in said reservation of the reduced area here named.

In so far as not otherwise specially provided, all allotments in severalty to Indians, outside of the Indian Territory and Oklahoma Territory, shall be made in conformity to the provisions of the act approved February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," and other general acts amendatory thereof or supplemental thereto, and shall be subject to all the restrictions and carry all the privileges incident to allotments made under said act and other general acts amendatory thereof or supplemental thereto.

The item of \$70,064.48 appropriated by the act which is hereby supplemented and modified, to be paid to the Uintah and White River tribes of Ute Indians in satisfaction of certain claims named in said act shall be paid to the Indians entitled thereto without awaiting their action upon the proposed allotment in severalty of lands in that reservation and the restoration of the surplus lands to the public domain.

The SPEAKER. Is a second demanded on the motion to suspend the rules?

Mr. RICHARDSON of Tennessee. I demand a second.

Mr. SHERMAN. I ask unanimous consent that a second be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. SHERMAN].

Mr. RICHARDSON of Tennessee. I hope the gentleman will recognize the gentleman from Arkansas [Mr. LITTLE] to control the time in opposition to the motion.

The SPEAKER. The time will be controlled on the one side by the gentleman from New York [Mr. SHERMAN] and on the other by the gentleman from Arkansas [Mr. LITTLE].

Mr. SHERMAN. Mr. Speaker, this is the same resolution that I attempted a week or two ago to have passed by unanimous consent, and to the consideration of which objection was made. The resolution relates to provisions of the Indian appropriation act, which were inserted as amendments in the Senate after it had left this House. To those provisions the House conferees objected as a whole, and also objected to certain parts of them as they were finally agreed upon. But it became necessary for the House conferees to concede what the Senate conferees demanded

in order to reach an agreement, as it is frequently necessary for the conferees of the one House or the other to yield to those of the other.

After the conference report had been agreed to in both Houses and the bill had gone to the President, a conference, at which I was not present, was held between certain of the conferees and the President of the United States, at which the President raised certain objections to these amendments, and in order to meet the objections of the President this resolution was prepared. It was a concession by the Senate conferees and the Senate, a recession from the position they had taken when the amendments were originally passed and when the conference report was finally agreed to.

The resolution is so plain in its terms that I need not recite its provisions. What it amounts to is this: The Senate has receded from the position which it took originally and which its conferees thereafter took when the conferees met, and the Senate has agreed to this recession and now the House is asked to coincide.

Mr. RICHARDSON of Tennessee. What evidence have we that the Senate has agreed to recede?

Mr. SHERMAN. They have passed this resolution.

Mr. RICHARDSON of Tennessee. This is a Senate resolution?

Mr. SHERMAN. Certainly.

Mr. RICHARDSON of Tennessee. They have agreed, then, to recede from their amendments and passed this resolution?

Mr. SHERMAN. That is the position exactly.

Mr. RICHARDSON of Tennessee. As I understand the gentleman, the President, notwithstanding his objections to the Indian appropriation bill, approved it with these obnoxious provisions in it.

Mr. SHERMAN. Well, I think he approved it with the expectation, if not the understanding, that this resolution would be passed. It had passed the Senate when he signed the appropriation bill.

Mr. RICHARDSON of Tennessee. Was there any contract to that effect?

Mr. SHERMAN. Oh, certainly not. No individual could make a contract for the House. I say the bill was approved with that expectation. The Senate had passed this resolution; and when the President told me he would approve the Indian appropriation bill, I frankly told him that I believed the House would agree to the resolution. I did not undertake to make any such agreement on the part of the House by any manner of means; I simply stated my belief.

Mr. RICHARDSON of Tennessee. This is the third joint resolution, is it not, which has been passed to amend the Indian appropriation bill since it was passed?

Mr. SHERMAN. The second.

Mr. RICHARDSON of Tennessee. This is the third, if I mistake not.

Mr. SHERMAN. No; a resolution did come in here before, but it never passed; and it is embodied in this resolution. Resolution No. 2 is embodied in this. It never did pass the House.

Mr. RICHARDSON of Tennessee. But this is the third effort to amend that act?

Mr. SHERMAN. The gentleman is right. This is the third effort to change the bill as originally passed.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I would like to ask the gentleman if he can give us the assurance now that this is the final one?

Mr. SHERMAN. Mr. Speaker, I can give the gentleman my assurance that this is the last one I shall offer.

Mr. RICHARDSON of Tennessee. Then, as I understand it, this makes the bill satisfactory to the President.

Mr. SHERMAN. I understand so. Mr. Speaker, I reserve the balance of my time.

Mr. STEPHENS of Texas. Mr. Speaker, I would like to ask the gentleman a question.

The SPEAKER. Does the gentleman yield?

Mr. SHERMAN. Yes.

Mr. STEPHENS of Texas. I will ask the gentleman if he will agree to an amendment in line 8, page 3, adding the word "Oklahoma" —

Mr. SHERMAN. That is included in the resolution as it has been read.

The SPEAKER. The gentleman from Arkansas [Mr. LITTLE] is recognized.

Mr. LITTLE. Mr. Speaker, the pending resolution within itself is unobjectionable as far as I am concerned, and has been explained by the gentleman from New York [Mr. SHERMAN] as I understand it. The original objection to the passage of this resolution, so far as it emanated from myself, was inspired by the hope that the President would see his way clear to veto the appropriation bill. I was encouraged in that hope by a statement that appeared in one of the city papers—whether authorized or not I do not know—that the President was objecting to the concessions made to the lessees on the Uintah Reservation. I believe

that the President ought to have vetoed the original bill on that account. I hoped that that objection, added to the provisions covered by this resolution, would inspire him to do that, which I believed to be a very proper thing for him to do.

I believe the ratification of the leases and privileges given to the Florence Mining Company can not be justified on any ground. They have made no investitures; they simply get that which ought to belong to the public generally when this reservation is opened. For that reason, and having no further opportunity or hope of securing that result, I do not feel justified in going further in opposition to this particular resolution. I regret very much that the President in his wisdom did not see proper to put his pungent pen against that bill and expose what I believe to be the infamy wrapped up in the Florence Mining Company lease and the Raven Mining lease. These two companies get a vast concession. They are practically, as I believe, one company, as I have been led to believe since the passage of the original bill. The presidents are the same, the secretaries are the same, and I think the companies are the same; that is, the same in interest, if not the same in name. I believe it is a bad precedent, I believe it is unholy, I believe the requirement of these leases, as I indicated before in my remarks, can be tracked with infamy from their very beginning up to this very morning, and I do not believe that Congress ought to have approved the measure; and when it did approve the bill with these provisions in it, I believe the President ought to have vetoed it, and I regret he has not done so.

Mr. SUTHERLAND. Mr. Speaker, does not the gentleman know that if this reservation had been thrown open, without any provision giving the Florence Mining Company any preferential rights, the Florence Mining Company being acquainted with the reservation property, knowing exactly what they wanted, having the same right to go into the reservation and make locations as any other citizen, which locations would be unlimited in number, whatever is granted to it under this bill is nothing more than a formal concession? In other words, that the Florence Mining Company or their agents, knowing exactly what they wanted to locate, would be naturally put in a better situation to take advantage of the provisions of this bill with respect to locating mining claims than anybody else and would get these 640 acres anyhow. In view of that, I want to ask the gentleman whether he thinks the President of the United States or this House ought to stand in the way of opening a great reservation like that to settlement rather than to give this company what is a mere formal concession to go there and locate 640 acres of land, which they probably would locate anyhow?

Mr. LITTLE. I will be pleased to answer the gentleman. I will say that the very suggestion he makes is one of the strongest possible arguments against the policy of giving permits to prospect and locate leases on Indian reservations.

Mr. SUTHERLAND. I agree with the gentleman. The leasing system is absolutely indefensible.

Mr. LITTLE. I know that the gentleman agrees with me. I know that the gentleman agrees with me that this is as dirty as it can be, if he would but acknowledge it. You want the reservation open. I think it ought to be opened, and in these leases, as written, the very provision reserving to Congress the right to negotiate with these Indians upon the reservation, instead of giving these direct concessions by this law—I admit they are in possession of information they could use when the reservation is opened. Other people may be in possession of that information, but I would not give them this absolute right for more than a year to go in there and locate their claims in advance. If they have the information, which they have gotten, as I believe, infamously, in a large measure, they would have to use that information when that reservation was opened according to the forms of law, and I would not give them an additional year until October, 1903, to go on and further prospect that reservation and increase the advantages that they have over other people.

But that question is behind us, and knowing my friend as I do I verily believe he agrees with me generally that these leases are unfortunate—that it would have been better for the reservation and better for the country if they had never been made—and it would be better for Congress if they had never been approved; but believing as he does, and as many do, that it would be impossible to secure the opening of this reservation and the consent of these Indians in any other way except by ratifying these agreements, I can see why he is willing to take the dose whether it tastes very well or not. That is the situation. These companies hold up the Government, that is what they do. We understand that it is impossible to secure the consent of these Indians under the influence of these lessees in any other way except to recognize their right. I would not do that.

I now yield five minutes to my friend from Texas [Mr. STEPHENS].

Mr. STEPHENS of Texas. Mr. Speaker, in addition to what the gentleman from Arkansas [Mr. LITTLE] has said, I wish to say that I am further opposed to this bill because it will permit



the grazing lands in these reservations to be leased to cattle men or to anyone else who will lease them. We had a sample of that kind of work by the Secretary of the Interior in Oklahoma. The act of June 6, 1900, opening part of that Territory, excepted and reserved 480,000 acres of land for grazing purposes for the Indians, to be used by the Indians for grazing purposes.

Mr. SUTHERLAND. Do I understand the gentleman to say that this resolution permits the leasing of lands?

Mr. STEPHENS of Texas. It will permit that to be done by the Secretary of the Interior. He can usurp that power as he did in Oklahoma. It is the same language as we find in the bill of June 6, 1900, and the Secretary of the Interior will find the same authority, and we will find that these reservations set apart by this resolution to these Indians for grazing purposes will be leased by the same Secretary of the Interior to cattle men within sixty or ninety days, as they did in Oklahoma.

Mr. SUTHERLAND. But I call the attention of the gentleman to the language of the resolution, that the Secretary of the Interior shall—

Select and set apart for the use in common of the Indians—

Mr. STEPHENS of Texas. That is the exact language which you will find in the Oklahoma bill, and the Secretary can lease these Indian lands in the same way that he did those lands, and he will lease them to white men for grazing purposes, and to parties who should not have them, just as he did in the Oklahoma case.

Mr. SUTHERLAND. But it proceeds further—

for the use in common of Indians of that reservation, such an amount of nonirrigable grazing lands therein, at one or more places, as will serve the requirements of said Indians for the grazing of live stock.

That means the grazing of their own live stock.

Mr. STEPHENS of Texas. If the gentleman will turn to the Oklahoma bill—the law of June 6, 1900—he will find the exact language copied into this bill. The Secretary of the Interior construed that law to mean that he had the right to set apart agricultural lands for grazing purposes and to lease them for grazing to two or three white men, which he did. He located this reservation on Red River, on the very best agricultural lands in that Oklahoma Indian reservation, fronting that river for 80 miles, and then he leased it to two millionaire cattlemen, who have it in their possession to this day.

He did that over the written protest of the entire Texas delegation in Congress and also in the Senate, and Senator Chilton and I presented the protest to him with our objections, calling his attention to the same language that is in this bill here; but that did not deter him and did not stay his hand, and to-day that magnificent territory of 400,000 acres of agricultural land is in the possession of a few millionaire cattlemen in Oklahoma.

I warn the gentlemen from Utah and Washington now that if this resolution passes they will meet with a like fate in the reservations of their own States. There is no restriction upon the amount of land that can be set apart as grazing lands by this resolution. In the case of Oklahoma the bill provided that but 480,000 acres should be set apart for grazing purposes. In this bill the amount is unlimited.

If the Secretary of the Interior sees fit to do so, he can set apart every acre of these reservations for grazing purposes; but, mind you, the Indians will not get the grazing lands. It will be the white men who want and will lease those lands, as has been the case, as I have stated heretofore, in Oklahoma.

Mr. SUTHERLAND. In the Oklahoma case there was no provision that the Secretary of the Interior should set aside nonirrigable lands.

Mr. STEPHENS of Texas. That said "pasture lands."

Mr. SUTHERLAND. But in this bill it says "nonirrigable lands," which means mountain lands which can not be used for agricultural purposes.

Mr. STEPHENS of Texas. The Oklahoma bill used the term "pasture lands," and this says "nonirrigable lands." Now, as we understood that bill of June 6, 1900, at the time it was passed, and as the members of Congress who protested against setting apart the agricultural land on Red River as pasture lands understood it, we did not suppose it would permit the Secretary of the Interior to set apart the best farming lands in the country; but before we left Washington, before the adjournment of Congress in 1901, we ascertained that he intended to set apart agricultural lands and leave the grazing lands to be opened for settlement, and we framed a protest against the setting it apart on Red River adjoining Texas. But he overruled that protest and leased these cattlemen this agricultural land exactly where they wanted it, at their own instance, and I believe at their request. They took possession of it and have had it from that day until this.

Not only that, but 40,000 acres of good farming land were set apart by him near and adjoining the town of Duncan, a town of 2,000 inhabitants, and beginning not more than a mile west from that town. It was ascertained by the merchants of

that town that certain cattlemen had combined together for the purpose of getting that 40,000 acres. These merchants raised a common fund and presented a bid themselves. They bid more than the cattlemen for the land. They have now leased it out to farmers for farming purposes. These lands were agricultural lands and the very best land in that part of the reservation.

These farmers now have it, and the citizens of that town, the merchants and business men of the town of Duncan, were forced to lease these lands to prevent having a cow pasture in front of the town. Here is a bill with the same provision as that bill, that will permit the Secretary of the Interior, under the guise of turning the land over to the Indians for grazing purposes, to lease every inch of these Utah and Washington Indian reservations to cattlemen or sheepmen for grazing purposes. I warn the gentlemen from Utah and from Washington that the same may be their fate.

The SPEAKER. The question is on suspending the rules and agreeing to the resolution with the amendment incorporated therein.

The question was taken, and (in the opinion of the Chair, two-thirds having voted in favor thereof) the rules were suspended, and the resolution was passed.

#### PENSION OF REMARRIED WIDOWS.

Mr. MIERS of Indiana. Mr. Speaker, by direction of the Committee on Invalid Pensions, I ask to take up the bill 12141, to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Indiana, by direction of the Committee on Invalid Pensions, moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12141) to amend an act entitled "An act amending section 4708 of the Revised Statutes of the United States, in relation to pensions to remarried widows," approved March 3, 1901.

Be it enacted, etc., That section 4708 of the laws of the United States governing the granting of Army and Navy pensions, be, and the same is, amended to read as follows:

"SEC. 4708. The remarriage of any widow, dependent mother, or dependent sister entitled to pension shall not bar her right to such pension to the date of her remarriage, whether an application therefor was filed before or after such marriage; but on the remarriage of any widow, dependent mother, or dependent sister having a pension such pension shall cease: *Provided, however*, That any widow who was the lawful wife of any officer or enlisted man or other person in the Army, Navy, or Marine Corps of the United States, as described in paragraphs 1, 2, and 3 of section 4693 of the Revised Statutes of the United States, during the period of his service in any war, and whose name was placed or shall hereafter be placed on the pension roll because of her husband's death as the result of wound or injury received or disease contracted in such military or naval service, and whose name has been or shall hereafter be dropped from said pension roll by reason of her marriage to another person who has since died or shall hereafter die, or from whom she has been heretofore or shall be hereafter divorced, upon her own application and without fault on her part, and if she is without means of support other than her daily labor, as defined by the acts of June 27, 1890, and May 9, 1900, shall be entitled to have her name again placed on the pension roll at the rate now provided for widows by the acts of July 14, 1862, March 3, 1873, and March 19, 1888, such pension to commence from the date of the filing of her application in the Pension Bureau after the approval of this act: *And provided further*, That where such widow is already in receipt of a pension from the United States she shall not be entitled to restoration under this act: *And provided further*, That where the pension of said widow on her second or subsequent marriage has accrued to a helpless or idiotic child, or a child or children under the age of 16 years, she shall not be entitled to restoration under this act unless said helpless or idiotic child, or child or children under 16 years of age, be then a member or members of her family and cared for by her, and upon the restoration of said widow the payment of pension to said child or children shall cease."

SEC. 2. That the provisions of this act shall be extended to those widows otherwise entitled whose husbands died of wounds, injuries, or disease contracted during the period of their military and naval service, but who were deprived of pension under the act of March 3, 1865, because of their failure to draw any pension by reason of their remarriage.

SEC. 3. That no claim agent or other person shall be entitled to receive any compensation for services in making application for pension under this act.

The SPEAKER. The question is on suspending the rules.

Mr. GAINES of Tennessee. I would like to ask the gentleman what is the object of the bill. It is a very long bill. I demand a second.

Mr. MIERS of Indiana. The act of March 3, 1901—

Mr. GAINES of Tennessee. I demand a second.

The SPEAKER. The gentleman from Tennessee demands a second.

Mr. MIERS of Indiana. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Indiana asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

Mr. MIERS of Indiana. Mr. Speaker, the act of March 3, 1901, attempted to place all remarried widows of soldiers who had drawn pensions who were the wives of soldiers during the soldiers' service when they became widows again upon the pension roll. It was found in the execution of the law there were two classes excluded that were meant to be included when the act was passed. The two classes are, first, if during the period of second widowhood there were minor children who drew a pension of \$2 a month

during their minority, they are excluded from this act, although they are widows and dependent. The purpose of this act is to amend the act of 1901, so that the widow who was the wife of the soldier during his service, notwithstanding the minor children may have drawn a pension for a time, may, if she is now in necessitous circumstances, be placed on the pension roll the same as other widows. The purpose of this law is not to grant any new right. It only allows all widows who were the war wives, if again widows, to be relieved notwithstanding remarriage.

Mr. GAINES of Tennessee. Now, what provision is there in this bill which says that she must be in dependent circumstances?

Mr. MIERS of Indiana. The only amendment we propose is that any widow who was the living wife of any officer or enlisted man in the Army, Navy, or Marine Corps, etc., in the United States. Now we add officer, enlisted man, or other person in the Army, Navy, etc. It simply brings in the widow, notwithstanding the children may have drawn pensions.

Mr. GAINES of Tennessee. Will my friend please read that part of the bill—I have not one, and no one about me seems to have a copy—which says that the widow on the second occasion must be in necessitous circumstances to be eligible to this pension?

Mr. MIERS of Indiana. If I had the act of March 3, 1901, I could do so.

Mr. GAINES of Tennessee. She may marry a millionaire, and because she becomes a widow a second time she is eligible to pension.

Mr. MIERS of Indiana. This is simply the general law. Besides, the act of March 3, 1901, was passed on the theory that a woman who stayed at home and cared for the family, kept the children together, awaiting news from the battlefields of the South, was doing as great and patriotic an act as her husband who was the soldier, and has as good a standing for pension as the soldier himself.

Mr. GAINES of Tennessee. Suppose that she marries a second time, and she marries an absolutely rich man, and he dies and leaves her rich. Now, under this law what is to prevent her from obtaining a pension the same as if she were dependent?

Mr. MIERS of Indiana. Under the general law she is precluded, and I think by the terms of this bill—I will read the bill a little later as to that provision—but so far as I am concerned, I would not care if the woman who stayed at home and endured the hardships while her husband was in the service; I would not care if she was as rich as Croesus, I would give her the pension. The law does not consider the financial condition of a soldier under the general law, and I think should not in the case of the war wife. She should have a standing of her own.

Mr. GAINES of Tennessee. I do not think the Government owes her a cent or ought to pay her a cent.

Mr. GROSVENOR. I think no such condition as the gentleman from Tennessee suggests can arise. In the first place, if she was pensioned originally because of the death of her husband, caused by his service, the pension would only be the small pension of a widow under those circumstances. If she is pensioned as a dependent in the first instance, it would be only \$100 a year, as I understand the law. It only reinstates her for the small amount, in any event, and as for the large amount, if she has an income beyond \$250 a year, she could not be pensioned under this law.

Mr. GAINES of Tennessee. The gentleman from Ohio says she is "pensioned in any event." I hope the gentleman does not mean to state exactly that.

Mr. GROSVENOR. I did not say she was pensioned in any event. I said in any event she would only be pensioned for the amount she was pensioned in the former adjudication, and if she had an income of more than \$250 a year this law would not reinstate her at any sum.

Mr. GAINES of Tennessee. One more question—and the gentleman from Indiana knows that I am sincere in my questions—

Mr. MIERS of Indiana. Certainly.

Mr. GAINES of Tennessee. Is there anything in the existing law or the proposed law preventing the widow of a soldier, who is a second time a widow, although she may be independent, although she may be rich upon the death of her second husband, is there anything here to prevent her from receiving a pension under this bill or in the existing law, as much so as a widow who is absolutely penniless?

Mr. MIERS of Indiana. Simply the provision of the general law, unless I find the provision in the present bill. This law provides as a cure for that provision that if the widow remarries she shall be dropped from the pension roll. The act of 1901 provides that if she again becomes a widow by the death of her husband, or if she is divorced without any fault on her part, she may be placed on the pension roll as she was before. That is the general law. It simply replaces her as she was before.

Mr. GAINES of Tennessee. Under existing law, suppose the widow of a soldier is absolutely independent, is she pensionable?

Mr. MIERS of Indiana. If her husband died of disease or wounds which occurred in the service, from injuries received in the service, she would be pensionable at the rate of \$12 a month if he was a private, \$14 if he was a lieutenant, and \$17 if a captain, etc.

Mr. GAINES of Tennessee. Suppose she married a millionaire? Mr. MIERS of Indiana. If her husband died of disease incurred or injury received in the line of service, she would be pensionable.

Mr. GAINES of Tennessee. If he died and left her a millionaire, she is pensionable?

Mr. MIERS of Indiana. Yes; and so is any widow if her husband died of disease incurred or injury received.

Mr. GAINES of Tennessee. And this law continues that law?

Mr. MIERS of Indiana. Provided she becomes a widow and was his wife during the time of his service, yes, sir; and should do it.

Mr. LACEY. Mr. Speaker, I would like to ask the gentleman a question.

Mr. MIERS of Indiana. I will yield to the gentleman.

Mr. LACEY. Does this proposed amendment cover this case: Where a widow otherwise eligible has never been put on the pension roll by reason of failure to furnish the testimony, and after remarriage her second husband died, can she now be restored or placed on the pension roll, where she never was?

Mr. MIERS of Indiana. Not under the act of March 3, 1901, but this bill is for that purpose.

Mr. GROSVENOR. That legislation is now complete.

Mr. LACEY. Well, now, as to the minor and helpless child who has never been placed on the roll—does the bill cover that class?

Mr. MIERS of Indiana. No.

The SPEAKER. The Chair would like to call the attention of the gentleman from Indiana to the fact that when the Chair asked him if there was any amendment to the bill the gentleman said no. The Chair finds on page 3, section 2, line 14, a committee amendment, and the Chair thinks that possibly the gentleman overlooked it.

Mr. MIERS of Indiana. Mr. Speaker, the Chair is right; I did overlook it for the moment.

The SPEAKER. If there is no objection, this will be included in the gentleman's motion.

There was no objection.

Mr. LOUD. Mr. Speaker, I would like to ask the gentleman one question.

Mr. MIERS of Indiana. I will yield to the gentleman.

Mr. LOUD. At the top of page 2 you have provided that any widow who was the lawful wife of any officer or enlisted man or "other person" in the Army. Why do you put in the words "other person?"

Mr. MIERS of Indiana. Let me read a little from the report:

Upon the adjudication of claims arising under this law of March 3, 1901, it was found that the words "of any officer or enlisted man in the Army, Navy, or Marine Corps of the United States" excluded from the benefits of that act a very worthy class of widows, namely, the widows of those mentioned in paragraphs 2 and 3 of section 4693, Revised Statutes, which paragraphs read as follows:

"SEC. 4693. The persons entitled as beneficiaries under section 4692 are as follows:

"Second. Any master serving on a gunboat, or any pilot, engineer, sailor, or other person not regularly mustered, serving upon any gunboat or war vessel of the United States, disabled by any wound or injury received, or otherwise incapacitated, while in the line of duty, for procuring his subsistence by manual labor.

"Third. Any person not an enlisted soldier in the Army, serving for the time being as a member of the militia of any State, under orders of an officer of the United States, or who volunteered for the time being to serve with any regularly organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagement with rebels or Indians, disabled in consequence of wounds or injury received in the line of duty in such temporary service. But no claim of a State militiaman, or non-enlisted person, on account of disability from wounds or injury received in battle with rebels or Indians, while temporarily rendering service, shall be valid unless prosecuted to a successful issue prior to the 4th day of July, 1874."

The result of the omission, therefore, was that the widow of a State militiaman, nonenlisted person, master of a gunboat, or pilot, etc., who was the wife of such person during the war of the rebellion and who died of wounds or injuries received while serving with any regularly organized military or naval force of the United States, and who was pensioned up to the date of her remarriage, had no title to restoration to the roll under the act of March 3, 1901, for the reason that the act as passed included only the widows of officers and men of the military or naval establishment of the United States, as mentioned in paragraph 1 of section 4693.

To rectify this omission the bill proposes to amend said act of March 3, 1901, by inserting on page 4 of said bill, in line 13, the words "or other person," and on page 2, in line 1, the words "as described in," and by inserting on same page, lines 2 and 3, the words "paragraphs 1, 2, and 3 of section 4693 of the Revised Statutes of the United States."

Another class of widows was deprived from the benefits of the act of March 3, 1901, namely, those who remarried and had never been on the pension roll by reason of the provisions of the act of March 3, 1865.

The organic act of July 14, 1862, gives to the widow of a soldier a clear title to pension from the date of the death of her husband to the date of her remarriage, but the act of March 3, 1865, provided that in the case of the remarriage of a widow without any payment of pension to her to which she might



have been entitled, pension for the minor child or children shall begin from the date of the death of the soldier.

This act of March 3, 1865, applied no matter whether the widow had or had not a claim pending at the time of her remarriage.

In order to provide for this class of widows, a new section has been added to the act of March 3, 1901, as provided for on page 3, from lines 9 to 15, which reads as follows:

"SEC. 2. That the provisions of this act shall be extended to those widows otherwise entitled whose husbands died of disease contracted during the period of their military and naval service, but who were deprived of pension under the act of March 3, 1865, because of their failure to draw any pension by reason of their remarriage."

Relief will thus be afforded after adding the words "wounds, injuries, or" after the word "of," on page 3, in line 10, to these widows, and they will be placed upon the same basis as other widows under the act of July 4, 1862; the act of March 31, 1865, which deprived them of pension, having been repealed by the act of July 27, 1868.

Notwithstanding this repeal of the act of March 3, 1865, these widows can not now apply for pension from the date of death of their husbands to the date of their remarriage, for the reason that a pensionable period does not exist, pension having been paid to the minor child or children from the soldier's death.

Up to June 30, 1901, but 3,258 applications had been filed under the act of March 3, 1901, and of this number quite a large percentage was rejected owing to the omissions in said act which this bill proposes to correct.

The bill is reported back with the recommendation that it pass after the same shall have been amended as follows:

On page 3, in line 10, after the word "of," insert the words "wounds, injuries, or."

Now, under the act of March 3, 1901, the widow of any person serving on a gunboat as pilot, engineer, etc., was not included in that language, so the Commissioner of Pensions held. The purpose here is to include that class of widows on the same footing, because of the fact that their husbands received their injuries or died by reason of wounds in the line of service. We thought such a widow just as meritorious as other widows who had been included. Such widows are recognized under other sections of the law, and we thought that the war widow—the wife of the soldier while he was in the service—ought to be included as well as the others. That is the purpose of this bill.

Mr. LOUD. Does the gentleman contend that this bill applies only to the widows of those killed in the service?

Mr. MIERS of Indiana. Unless they were mustered. There is a class of widows under the general law who have not remarried receiving pensions, although their husbands were not actually mustered, by reason of section 4693 of the Revised Statutes, as set out in the report, who are entitled to and do draw pensions. This bill will apply to them, and the original act of March 3, 1901, meant to include them. But when we come to apply that law we find by the language used in the act of 1901 she is excluded, and we seek to put her on the same footing with the other widows who were wives at the time the service of the soldier was rendered.

Mr. LOUD. I will ask my question again, as the gentleman did not understand it. He assumes that this act applies only to the widows of those killed in battle.

Mr. MIERS of Indiana. I do not assume that; but under the present law, where there was no actual muster, it made no difference whether the husband was killed in the line of battle or while in action on a gunboat or in service as a pilot, engineer, etc., the widow draws a pension. We are now seeking to amend the existing law so that if the husband was in the line of service, although not actually mustered in, and was killed, the widow shall be placed upon the same footing as all other widows under the general law, and shall be restored to the pension roll. That is all that this bill does.

Mr. LOUD. If I understand the gentleman's answer, then, in order to take in a few the committee has brought in a bill here broad enough to take in everybody.

Mr. MIERS of Indiana. The law of March 3, 1901, undertook to take in all the widows who had been wives during the service of their husbands.

Mr. LOUD. Widows of officers and enlisted men.

Mr. MIERS of Indiana. Yes. But when the Commissioner came to apply the act of March 3, 1901, he holds that she is not included. Section 4693 we thought ought to apply to such as again become widows, in view of the fact that that section gives such widows before they are remarried a pensionable standing, and they being excluded unless this amendment be made, the law now excludes a widow who had been the wife during the service of her husband, although that husband was killed in battle. Under the existing law such a widow is not entitled to be placed back on the pension roll. We have undertaken to place back on the pension roll all women who were the wives of soldiers during their service.

Mr. LOUD. Not only soldiers, but teamsters, carpenters, etc.

Mr. MIERS of Indiana. No, sir.

Mr. LOUD. I am willing to contest that point with the gentleman.

Mr. MIERS of Indiana. Section 4693 does not put the widows of teamsters on the pension roll. It does not place anyone on the pension roll except those mentioned in the section, and that section is quoted in the report, and the committee desires that the war wives shall be entitled to the benefits of section 4693.

Mr. LOUD. But the language is qualified in the report, and it is not qualified in the bill. It is the bill that is to become a law, not the report.

Mr. MIERS of Indiana. We do make the qualification in the bill.

Mr. LOUD. Where is it? I would like to find it. I would like the gentleman to explain to the House who may be included by the language "any other person?"

Mr. MIERS of Indiana. I ask the gentleman to read section 4708, as recited in the bill.

The remarriage of any widow, dependent mother, or dependent sister entitled to pension shall not bar her right to such pension to the date of her remarriage, whether an application therefor was filed before or after such marriage; but on the remarriage of any widow, dependent mother, or dependent sister having a pension such pension shall cease.

That is the law.

Mr. LOUD. Now read the proviso.

Mr. MIERS of Indiana (reading):

Provided, however, That any widow who was the lawful wife of any officer or enlisted man or other person in the Army, Navy, or Marine Corps of the United States, as described in paragraphs 1, 2, and 3 of section 4693 of the Revised Statutes of the United States, during the period of his service in any war, and whose name was placed or shall hereafter be placed on the pension roll because of her husband's death as the result of wound or injury received or disease contracted in such military or naval service and whose name has been or shall hereafter be dropped from said pension roll by reason of her marriage to another person who has since died or shall hereafter die, or from whom she has been heretofore or shall be hereafter divorced, upon her own application and without fault on her part, and if she is without means of support—

That answers the question of the gentleman from Tennessee [Mr. GAINES], which I was not able to answer at the moment—other than her daily labor, as defined by the acts of June 27, 1890, and May 9, 1900.

So that this bill applies only to such as are dependent as defined by law.

Mr. GAINES of Tennessee. Where is that? From what part of the bill is the gentleman reading?

Mr. MIERS of Indiana. Page 2, line 14, and the following lines: 16, 17, and 18.

May 9, 1900, shall be entitled to have her name again placed on the pension roll at the rate now provided for widows by the acts of July 14, 1862, March 3, 1873, and March 19, 1886.

Mr. GAINES of Tennessee. What is the number of the bill the gentleman is reading?

Mr. MIERS of Indiana. No. 12141; the bill now being considered.

Mr. LOUD. Let me ask the gentleman to refer back to line 7, and define what the words "shall hereafter" mean where they occur in the line as "shall hereafter be placed on the pension roll?"

Mr. MIERS of Indiana. Now, to illustrate: A widow who remarried before she was placed on the pension roll is entitled to a pension during the period of her widowhood, if she was a war widow, and is placed on the pension roll during the period that she was entitled to, whether that was six months or six years. If she is now placed on the roll under that section, she will be entitled to her pension by reason of the fact that she was a widow during the service, if this bill passes.

Mr. LOUD. Well, I thought I understood the section.

Mr. MIERS of Indiana. In other words, as I said a moment ago, we intend to make it broad enough to put all the women who were wives during the service on the same plain as if they had not remarried, provided they are widows and dependent. Any other wife, the wife of a soldier who was not a wife during the war, if she remarries is out, but if she was the wife during the service and then remarries she is entitled to go back on the roll by reason of the terms of this bill. This bill has nothing covered in it, and but the one purpose, and, I submit, is most meritorious.

Mr. LOUD. Now, Mr. Speaker, it is very hard to understand a bill of this kind or a bill of any kind from a casual reading from the desk. Hence I have questioned the gentleman who has charge of this bill as closely as I could in order that I might understand what he understands this bill to mean. I can not place any other construction upon this bill, after hearing the gentleman explain it, line by line almost, than that this proviso here, as explained by him, in line 7, refers to any widow hereafter placed on the pension roll who is the widow of any other person, and I do not believe there is a person in the world who can take that section and place any other construction than that upon it.

Mr. RAY of New York. Mr. Speaker, will the gentleman permit me?

The SPEAKER. Does the gentleman yield?

Mr. LOUD. Yes.

Mr. RAY of New York. The gentleman is under a misapprehension.

Mr. LOUD. I hope so.

Mr. RAY of New York. If he will listen to me, I think I can make this matter to plain to him. Under the pension law as it

stands the widows of the enlisted officers and men of the Navy and privates of the Army may draw a pension under certain conditions, provided the husband was killed in the service or died of disease or disability contracted in the service. If they remarry they lose their pension or right to a pension, as the case may be. In addition to that the general law included and includes another class of widows, to wit, the widows of masters of gunboats, pilots, engineers, or sailors or other persons not regularly mustered—now mind, not mustered—serving upon any gunboat and disabled by wound or injury received or otherwise incapacitated while in the line of duty.

Now, the words "other persons" refer explicitly to those who were in the service, who were as a rule entitled to be but had not been regularly mustered, and they were incapacitated in the line of duty while acting as a soldier, doing the duty of a soldier, or a similar duty as mentioned. Now, when the Committee on Invalid Pensions in 1900, I think it was, reported their bill for the restoration to the pension roll of the widows who had remarried, they did include by the language of the bill the widows of those regularly enlisted and mustered, but by an inadvertence they left out certain remarried widows, those who were entitled to pensions by reason of being the widow of a man not regularly mustered but who was disabled or wounded while in the actual service of his country, viz, widows of masters of gunboats, pilots, engineers, etc., as described by me, and the reason for writing that in the law originally was that a great many soldiers and sailors went into the service and performed duties, but it so happened that they were not at a place where they could be mustered. Some of them were killed, some of them were wounded before they were mustered into the service, and it included another class of people, namely, the widows of masters, pilots, engineers, etc.; and an illustration of one class we had up at Gettysburg—I believe it not to be merely traditional—the case of a man like John Burns—

Mr. LOUD. Mr. Speaker, I am afraid my time is about run out.

Mr. RAY of New York. I beg the gentleman's pardon. Suppose the man shouldered his musket and went into battle, and suppose he was shot down while fighting for his country. His widow would be included under the general law. So if injured and he died as the result of his wounds—

Mr. LOUD. I do not care anything about that. The worthy cases ought to be taken in, but everybody should not be taken in.

Mr. RAY of New York. This bill will not take in everybody.

Mr. LOUD. I think it will.

Mr. RAY of New York. It will only take in the widows of those men who were wounded or disabled while actually fighting for their country or who received disabilities in service, and they are included because there were cases where they did the duty of a soldier before they were mustered in or were in discharge of duties not requiring a muster. I appeal to the gentleman from Indiana if I have not stated the case correctly.

Mr. MIERS of Indiana. Yes. Now, if the gentleman from California will allow me—

Mr. LOUD. I have only two or three minutes remaining.

Mr. MIERS of Indiana. This has been administered by the Commissioner of Pensions for two years. Neither he nor anyone else claims that it will take in everybody, but he simply claims that it excludes those who might be drawing pensions under the other section.

Mr. LOUD. Will the gentleman show me the present law that uses the words "any other person?" If he had shown me that a long time ago I would not have raised any objection. But no; the gentleman refers to the law which says:

Any master serving on a gunboat, or any pilot, engineer, sailor, or other person not regularly mustered—

That enumerates them.

Mr. RAY of New York. Read right on—

or any other person not regularly mustered, serving upon any gunboat or war vessel of the United States, disabled by any wound or injury received, or otherwise.

Mr. LOUD. That is your present law, yes; and you propose to go beyond that.

Mr. MIERS of Indiana. No; that does not apply to the widow of such a man, and we simply make it apply to her. If the law is to apply to any person who was not mustered, if the husband died in the line of service, what is the use of mentioning gunboats, pilots, or engineers, and so forth? Why not simply say the widow of any person who died in the line of service, and so forth?

Mr. LOUD. One of the first questions I asked the gentleman was if this applied to any other class of persons than those whose husbands died in the service, and the gentleman said "yes."

Mr. MIERS of Indiana. I said "no."

Mr. LOUD. That is where the gentleman misled me. He said "yes."

Mr. MIERS of Indiana. I said "no."

Mr. LOUD. I hope the gentleman will look at his remarks, because I was paying close attention, and that is the way I understood him.

Mr. MIERS of Indiana. I beg the gentleman's pardon; and if I said "yes," then I beg leave to revise my remarks.

Mr. LOUD. Because I am very free to say that I do not care how a person was killed, whether he was regularly mustered or not. Hence that was one of the first questions I asked, and the gentleman went on to say "yes."

Mr. MIERS of Indiana. I am very sorry if I misled the gentleman.

Mr. RAY of New York. Did you use the words "killed in the service?"

Mr. LOUD. Yes.

Mr. RAY of New York. That would be incorrect.

Mr. MIERS of Indiana. Yes.

Mr. LOUD. Or who died as the result of it.

Mr. RAY of New York. Either killed in the service or who lost his life because of disabilities contracted in the service, either disease or wounds.

Mr. LOUD. I did not ask the gentleman the whole question, but he understood the question evidently.

Mr. RAY of New York. I do not think he understood your meaning.

Mr. LOUD. If that was the intent of the law, that is what I wanted to find out. I will say that I have no objection to pensioning anybody who lost his life as the result of the service, whether regularly mustered in or not.

Mr. RAY of New York. I will pledge the gentleman my honor as a gentleman and a lawyer that this bill will not go further than the gentleman from Indiana [Mr. MIERS] has stated, and as I, too, have stated it. It is designed to restore those entitled but for a remarriage and limits the restoration to those whose income does not exceed \$250 per year, as I read and understand it. It goes no further.

Mr. LOUD. Well, I hope not.

Mr. GAINES of Tennessee. Mr. Speaker, the gentleman from Indiana has stated, and the distinguished jurist and member from the State of New York [Mr. RAY] has just stated, that this bill could not possibly "go any further than it already goes." That is too true, Mr. Speaker. The gentleman from Indiana has stated that it takes in all the widows, whether they are millionaires or paupers.

Mr. MIERS of Indiana. Oh, no.

Mr. GAINES of Tennessee. That is the language of the gentleman. I will go by the Official Reporter's notes of the statement, and I think they will bear me out.

Mr. MIERS of Indiana. I said so far as I was concerned I would be willing that it should go that far, but this bill does not.

Mr. SMITH of Arizona. That is what the gentleman said—that he would be willing.

Mr. GAINES of Tennessee. The gentleman, then, would be willing to pension the widow of a soldier of the Army of the United States, even though she herself was a millionaire.

Mr. MIERS of Indiana. I would to the same extent that her husband if he had lived would be entitled to a pension. If a soldier received an injury, he is given a pension. Now, if his widow fought at the other end of the line, and took care of the family, and waited for the returns from the battle field, I would place her on the same footing, as far as I am concerned.

Mr. GAINES of Tennessee. Then, I am not surprised that the pension question is one that agitates the public mind of this whole country. Nobody objects—I am sure I do not, nor is there a man in this House or out of it who objects—to a dependent soldier or a dependent widow of an honorably discharged soldier drawing a pension—not one.

Mr. MIERS of Indiana. Will the gentleman allow me to interrupt him?

Mr. GAINES of Tennessee. No; I have not time to yield further. Here, Mr. Speaker, is the distinguished gentleman from Indiana saying that he is willing to increase the pension roll, notwithstanding the fact that there are thousands and thousands of persons who are justly entitled to pensions who are not pensioned at all. Why one man has been kicked out of the Pension Office because he tried to keep the pension list down and make it a roll of honor and keep it to just limits, and sent clear out of the country, and yet here is the distinguished gentleman from Indiana standing upon the Democratic side of the House saying that he is willing to agree to pension a widow who in her own right and title is a millionaire. At the same time we have widows above the Ohio and below it who have no pension at all, and who are knocking Friday after Friday and day after day and year after year to get their pensions given to them by Congress or to get an inadequate pension raised up to the standard it should be raised.

Mr. MIERS of Indiana. Will the gentleman permit a question?

Mr. GAINES of Tennessee. No; I decline to yield. I have not



time. Now then, Mr. Speaker, I appeared before this same committee from which this bill comes a few days ago, pursuant to a voluntary arrangement made with the gentleman from Ohio [Mr. BROMWELL], when we were to take up the question of increasing the limit, which is inadequate, of the Mexican pension law, but I got no hearing. The distinguished gentleman from Indiana said over two years ago, upon the floor of this House, that he was in favor of increasing the rates allowed to the old Mexican soldier. Yet the distinguished gentleman knows that only those who have been stricken from the roll have been restored, and the law stands unchanged by this Congress.

The Senate bill was sent here by the distinguished Senator from Arkansas [Mr. JONES], and it sleeps in the committee of which the distinguished son of Indiana is an honored member. Nothing has been done with that, nothing has been done with the bill I introduced along the same line, and I was not given even a chance to be heard.

Mr. MIERS of Indiana. Will the gentleman allow me to be heard there?

Mr. NORTON. That is not in our committee.

Mr. MIERS of Indiana. That is before the Committee on Pensions.

The SPEAKER. The gentleman from Indiana will wait until consent is given for him to interrupt the gentleman speaking.

Mr. GAINES of Tennessee. I yield to the gentleman.

Mr. MIERS of Indiana. Your bill is pending before the Committee on Pensions.

Mr. GAINES of Tennessee. Yes, Mr. Speaker, it is "pending." It is sleeping in its pendency. It is sound asleep, and I am trying to get my Democratic friends—

Mr. MIERS of Indiana. Mr. Speaker, the gentleman should distinguish between the Committee on Pensions and the Committee on Invalid Pensions. His bill is before another committee.

Mr. GAINES of Tennessee. Where is it sleeping?

Mr. MIERS of Indiana. Mr. LOUDENSLAGER is chairman of the Committee on Pensions. Why are you abusing my committee?

Mr. GAINES of Tennessee. If you are not guilty, I will take it all back. I am beating along the bushes pretty close. I went before the latter committee, and they were too busy pensioning other widows to pay attention to those who were penniless. I was denied a hearing for the poor penniless old Mexican soldier, tottering about the brink of the grave, possibly a pauper's grave, and yet they were and they are denied a hearing. The old Mexican soldier is denied a hearing in this great Congress, and yet the distinguished gentleman would pass a law pensioning millionaires. My friend, I believe, now corrects the statement and says that this bill does not so provide. If it did I should vote against it. But, Mr. Speaker, I say that it is time for Congress to call a halt upon the pensioning of those who are not disabled and dependent. Among our earliest pension laws provision was made not to pension those who simply were wounded, but those who were incapable of making a living, and now it has got to be that simply because a woman is a widow of a soldier of a war forty years ago, regardless of her temporal affairs, she is pensioned, and I take it the same thing would apply to the soldier himself.

Now, the law which my friend from Indiana and my friend from New York and other members of the House by their silence on this occasion advocate here is to provide a pension for those who, although being disabled or wounded, are absolutely able to live without it, while for those who were not only wounded and disabled by their wounds, but in old age are practically upon the paupers' list, nothing or insufficient amounts are provided.

In the name of economy, in the name of justice, in the name of the soldier himself, who would have the pension roll a roll of honor instead of being, as it is, one of suspicion, who would have economy administered and absolute justice, I do say that I do not believe from what has been said and what has been done that absolute justice is meted out to those who are pensioned nor to those who are denied an adequate pension of the Mexican soldiers.

The SPEAKER. The question is on suspending the rules and passing the bill with the amendments.

The question was taken, and (in the opinion of the Chair two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

#### PENSIONS OF MAIMED EX-SOLDIERS.

Mr. SULLOWAY. Mr. Speaker, by direction of the Committee on Invalid Pensions, I call up the bill (S. 4850) to increase the pensions of those who have lost limbs in the military or naval service of the United States, or are totally disabled in the same, and ask that the rules be suspended, the amendments proposed by the committee be adopted, and the bill passed.

The SPEAKER. The gentleman from New Hampshire, by direction of the Committee on Invalid Pensions, calls up the bill

S. 4850, and moves that the rules be suspended, the adoption of the amendments reported by the committee, and the passage of the bill as recommended. The Chair will here state that it is not the duty of the Chair to ask if a second is demanded. It is the privilege of any member to demand a second.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That from and after the passage of this act all persons on the pension roll, and all persons hereafter granted a pension, who, while in the military or naval service of the United States and in the line of duty, from wounds, injuries, or disease originating prior to August 4, 1896, shall have lost one hand or one foot, or been totally disabled in the same, shall receive a pension at the rate of \$40 per month; that all persons who, in like manner, shall have lost an arm at or above the elbow or a leg at or above the knee, or been totally disabled in the same, shall receive a pension at the rate of \$46 per month; that all persons who, in like manner, shall have lost an arm at the shoulder joint or a leg at the hip joint, or so near the shoulder or hip joint or where the same is in such a condition as to prevent the use of an artificial limb, shall receive a pension at the rate of \$55 per month, and that all persons who, in like manner, shall have lost one hand and one foot, or been totally disabled in the same, shall receive a pension at the rate of \$60 per month; and that all persons who, in like manner, shall have lost both feet shall receive a pension at the rate of \$100 per month: *Provided, however,* That this act shall not be so construed as to reduce any pension under any act, public or private.

Sec. 2. That the pensions of all persons who served one year or more in the Army or Navy of the United States, and who, under the act approved June 27, 1890, and the acts amendatory thereof, are drawing or hereafter shall be entitled to draw a pension at the rate of \$12 per month, and who are or shall become so disabled from injuries or disease as to require the frequent and periodical aid and attendance of another person, shall be increased to \$30 per month from and after the date of the certificate of the examining surgeon or board of examining surgeons showing such degree of disability and made subsequent to the passage of this act.

Mr. LOUD. Mr. Speaker, I demand a second.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SULLOWAY. Mr. Speaker, this is what is known as the maimed soldiers' bill, with amendments proposed by the Committee on Invalid Pensions. There are four classes of pensioners the pensions of which it is proposed to increase. First, there is a provision to increase the pension of those who have lost one hand or one foot, or been totally disabled in the same, from \$30 to \$45 a month, or an increase of \$150 a year. That was the Senate proposition. That would take an appropriation of \$605,000, in round numbers. There are 3,363 of that class of pensioners. Your committee thought, while dealing fairly with that class, that an increase of \$10 a month instead of \$15 a month, which would increase the pension from \$360 to \$480 a year, would be about as near a level as we could carry it when compared with other pensioners. That would be \$403,000, or \$200,000 less than the Senate provided for.

The next is where the pensioner has lost an arm at or above the elbow, or a leg at or above the knee, or has been totally disabled in the same. The Senate bill provided an increase from \$30 to \$60 per month. There are 2,357 of that class on the roll. The Senate proposition would require an appropriation of \$395,000. We thought an increase of \$10 a month, or \$120 a year, to that class of pensioners, making their pension \$552 a year, would be as far as we ought to go, and the Committee on Invalid Pensions recommended an amendment to that effect.

The third proposition is to take those who have lost an arm at the shoulder joint, or a leg at the hip joint, or so near the shoulder or hip joint as to prevent the use of an artificial limb. The Senate proposition provided an increase of \$180 a year. There are 1,724 of these pensioners on the roll, which would require an appropriation of \$310,320. In that class we thought an addition of \$10 a month, increasing the pension from \$540 to \$660, was as far as we were warranted in going, and we recommend an amendment of that character. That makes a reduction of something over \$104,000 in annual appropriations on that class.

The fourth provision is to increase the pension of those who lost one hand and one foot or have been totally disabled in the same. There are only 17 of these now on the rolls, and the appropriation is very small. The difference in amount in what is asked for by the Senate bill and what is recommended by the Committee on Invalid Pensions is \$416,530 in favor of the Government and against the pensioners.

Mr. LOUD. The gentleman means between the Senate bill and what is proposed by the amendments by the gentleman's committee?

Mr. SULLOWAY. Yes.

Mr. LOUD. The gentleman means down to section 2.

Mr. SULLOWAY. The aggregate of appropriation in the Senate bill would be \$1,314,696.

Mr. LOUD. Per annum?

Mr. SULLOWAY. Yes; that would be the increase under the Senate provision. Ours is an increase of \$898,176, making a difference of \$416,520.

Mr. MANN. The gentleman, in making the estimate of the decrease, does not include section 2?

Mr. SULLOWAY. No; I am coming to that. There is one little feature of this bill that I did not mention. They who have lost both hands now receive \$100 per month. There are seven or eight left who have lost both feet. Those are receiving \$72 per month; and while the proposition was to increase all classes of the maimed soldiers, your committee thought and recommend that the pension for those who have lost both feet should be increased from \$72 to \$100 a month. That was a proposition not contained in the Senate bill.

Mr. LOUD. I would like to ask a question in regard to section 2.

Mr. SULLOWAY. I am coming to that.

Mr. LOUD. If it will not disturb the gentleman too much, I would like to ask the question now. I see that a man under the act of 1890 draws \$12 a month, and if he is subsequently disabled, becomes permanently helpless, so that he requires the periodical attendance of some person, is entitled to \$30 a month.

Mr. SULLOWAY. He might under certain conditions, but not quite so broadly as you state it.

Mr. LOUD. If disabled under the general law, so as to draw \$12 a month, and subsequently, by disease contracted in the Army or by old age or otherwise, he requires nursing part of the time, he is not entitled to \$30 a month. In other words, a man under the act of 1890 gets a better pension under certain circumstances than the veteran would get under the old law.

Mr. SULLOWAY. I do not agree to that by any manner of means.

Mr. LACEY. I am asking whether that would not be the effect?

Mr. SULLOWAY. I do not admit that it would be.

Now, I want to say that 25 per cent of all the bills reported by our committee during this Congress for those who were soldiers have been bills increasing to \$24, \$30, or more pensions of men who were blind or paralytics or total wrecks. I want to say that during the Fifty-sixth Congress and the Fifty-seventh, up to this day, there has never been a voice lifted in this Hall against a single one of those claims.

This section to which the gentleman from Iowa calls attention is not exactly the act of 1890. That required only ninety days' service. This section requires service of a year and requires also an adjudication by the Pension Bureau that the soldier is a total wreck. In these cases the soldier is receiving \$12 a month; he is blind or disabled or in some way a total wreck. He comes here, or somebody for him, asking for a special act, and you grant it in every instance.

In my judgment the estimate here is an excessive one. I do not believe you can to-day look over your districts, gentlemen, and find in each district two men in the condition I have stated—blind and total wrecks—for whom you have not introduced bills and who have not been provided for by special acts. Yet this estimate is based upon the theory that there are 10 such men in each of your 300 districts. Adopting that estimate as correct for 300 districts, and taking into consideration our reduction upon the Senate proposition and taking into consideration also the fact that the pension asked is \$30 a month, we would by this proposed amendment add only \$231,000 to the bill as it came from the Senate.

I believe section 2 to be very meritorious. I believe it will relieve Congress of these special acts to a very large extent. The bill last up will relieve us of applications that have been coming to us in behalf of women who were the wives of soldiers during the war and who have since remarried and thereby lost their pensions. We shall no longer have to deal with cases of that kind. Now, if this section should become a law, we shall have relieved the class to which I have referred. I believe it is our patriotic duty to adopt this legislation. I believe this appropriation ought to be granted. I hope and trust there will not be a voice or vote on this floor against it.

The SPEAKER. Does the gentleman from New Hampshire [Mr. SULLOWAY] reserve the balance of his time?

Mr. SULLOWAY. Yes sir. How much time have I remaining?

The SPEAKER. Ten minutes.

Mr. LOUD. Mr. Chairman, before proceeding with my remarks, I will ask the gentleman from New Hampshire one question: Who gave him the estimate of the cost of section 2? I would like to know where that estimate came from.

Mr. SULLOWAY. I stated that we went on the assumption that there are 10 disabled old soldiers in each of the 300 Congressional districts.

Mr. LOUD. The Pension Department has made no estimate of that kind?

Mr. SULLOWAY. No sir.

Mr. LOUD. Mr. Speaker, the House of Representatives, I might say, is "up against it." Section 2 of this act is proposed to be enacted into law for the benefit of all men who served one

year in the Army; and presumably it takes the place of the individual or personal measures which are brought up here on every other Friday. The gentleman from New Hampshire says that the House has passed time and again, without the protest of a single individual, cases of this character. That may be true as to all except myself; yet the gentleman knows that I have constantly protested and that I protest to-day.

Mr. SULLOWAY. I am very ready to admit that fact.

Mr. LOUD. I have stated, too, and the gentleman has heard me, that I do not believe any man has a claim upon the Government simply from the fact that he may have been a soldier. The denial of any such principle is with me fundamental. If a man has received an injury in the service of his country, then, as I have said many times before, I believe the whole country should be taxed to make reparation as far as possible for what he has suffered in defense of his country. The Senate bill, I will say, meets no objection at my hands. If a man has lost an arm or a leg or both arms or both legs, there is not money enough in the world to replace what has been taken away from him. But when you enter the field of pensioning at the rate of \$30 a month every man who was in the service for one year, it is something that we do not owe and something that the good soldiers of this country do not ask.

The gentleman says this will cost about \$230,000 a year. Sir, I make this assertion, that every man who was in the service for one year will be entitled to a pension of \$30 a month for some period before he shall die.

Mr. SULLOWAY. Mr. Speaker—

The SPEAKER. Does the gentleman yield?

Mr. LOUD. Certainly.

Mr. SULLOWAY. Why not every soldier now at \$12 a month? The gentleman says every one of them will be pensioners at \$30 a month. If that is possible, why not every one of them pensioners at \$12 a month? That is the limit now.

Mr. LOUD. I do not know that I fully understand the gentleman.

Mr. SULLOWAY. The proposition of the gentleman is that every soldier at some time will reach the maximum of the amount of pension allowed.

Mr. LOUD. Thirty dollars.

Mr. SULLOWAY. Why not every soldier to-day at the maximum receiving \$12 a month, if that is a fact? Is human nature going to change?

Mr. LOUD. Because they have not reached that period yet. They are getting there fast enough, if the gentleman will only wait. As a matter of fact, in the Pension Office, with those who ask for a pension, who are of a certain age, it is assumed that senility exists, and the man is pensioned, and substantially it is not erroneous. In fact, when a man has reached the age of 65 or 70 years the presumption is that he is entitled to \$12 a month, and it is right, too, because he has passed that period when he is able to work. The gentleman of course has endeavored to put a stopper on here by the use of the words "frequent" and "periodical." Well, how long "frequent" is or how long "periodical" is I do not know. Some of them are quite long.

Mr. SULLOWAY. Mr. Speaker—

The SPEAKER. Does the gentleman yield?

Mr. LOUD. I yield to the gentleman, certainly.

Mr. SULLOWAY. Those words are as old as pension legislation.

Mr. LOUD. Oh, I know that.

Mr. SULLOWAY. They are well understood.

Mr. LOUD. But they only have a construction in the minds of a jury, and they oftentimes differ about it. I have great sympathy for the gentlemen who are agonizing for the old soldier. If the old soldier did not have any votes, I am afraid we would not agonize for them quite so much. I can not tell how much this act will cost, but it may cost \$20,000,000 a year.

Mr. BURLESON. It probably will.

Mr. LOUD. Now, I will say again, that any man who requires the attention of anybody, it may be once a month, it may be once in six months, or once in a year, under the terms of this law, will be entitled to a pension of \$30 a month. The gentleman from New Hampshire [Mr. SULLOWAY] makes a note as though that were not true.

That is the way I construe the language "frequent and periodical." If the House wants to pass the legislation, that is for it to determine. It is a hard question on the eve of a campaign, too, because there is not any one of us who wants to lose the soldier vote, and it is unfortunate, to say the least, that the committee has, just preceding the election, brought in a bill which embarrasses, to say the least, some members of Congress. It does not embarrass me any; not a particle. I shall vote against it. I should have voted against the act of 1890, because it was wrong in principle, enunciating my principles as I have here, and as are well known, which I think is a well-grounded principle.



I say, where a man has lost anything in defense of his country, his country should reimburse him, but where a man has served in the Army—we will say, in the year 1847—and in 1902, by reason of age, by reason of natural infirmities, requires a little attention once in a while, then I say it is nonsense that the Government can seek to reimburse him for his one year's service by paying him \$30 a month.

Of course that may be perhaps an extreme illustration, but what the theory is that prompts legislation of this kind I can not see, because it replaces nothing. It does not seek to replace anything, because a man's living forty years after the war is prima facie evidence that he has lost nothing in defense of the flag. Mr. Speaker, I reserve the balance of my time.

Mr. NORTON. Mr. Speaker—

The SPEAKER. From whom does the gentleman get his time?

Mr. NORTON. From the chairman of the committee.

The SPEAKER. How much time does the gentleman yield?

Mr. SULLOWAY. I can not yield much, but I would ask that everyone have leave to print on this measure for ten days.

The SPEAKER. There is no such order of the House to that effect.

Mr. SULLOWAY. I yield three minutes to the gentleman from Ohio.

Mr. NORTON. Mr. Speaker, I have listened to the gentleman from California. I was considerably surprised, and yet not so much so either, for on all occasions when he undertakes to disturb the serenity of this House or create suspicion he accuses his fellow-members of being afraid of the vote of their constituents. There is something behind this measure, and there is something in the patriotism of the American people that does not care for such threats as those offered by the gentleman from California [Mr. LOUD]. This bill is just, is honest, and ought to be passed. The maimed soldier is the man who has suffered every hour of his life from the very moment of his wound.

I say here and now that the physicians and surgeons of the country will bear me out in the statement that any man who has lost an arm or leg enjoys no peace and sees no hour of rest. This bill is not to take \$20,000,000 out of the Treasury; the statement is untrue. The estimates are fair and honest and honorable, and to insinuate that members upon this floor are voting for this measure to secure votes is an insinuation against the patriotism, the honesty, and the purposes of American citizens. [Applause.] I hurl back the insinuation, and I state to the gentleman, soldier as he was, that he must have been heartless upon the field, as he is heartless upon the floor, to charge that the soldier comes here begging you for favors. He comes here demanding only what is right, and this committee have been honest and fearless in their efforts to do the right thing. This bill will relieve Congress; yes, and it will not only relieve them, but it will relieve the old soldier who has been waiting month after month and year after year and going to his grave without a settlement of his case and waiting for the action of Congress.

Mr. Speaker, I wish I had time to exploit the provisions of this bill. I look upon it as just and honest. A moment ago the gentleman from Tennessee [Mr. GAINES], who has been recuperating his energies in the South, who has come back here to speak upon a measure of which he knows nothing, betrayed his ignorance by charging the Committee on Invalid Pensions with smothering bills. He said, too, that another measure which was reported by this same committee provided for the pensioning of millionaires. That is not so. It provided for the pensioning of widows having incomes of only \$350 a year. I trust that no other man upon this floor will dare to open his mouth against this measure or to utter an insinuation that a member of Congress upon this floor has fallen so low as to vote away the public money for the benefit of undeserving men in order to secure votes. [Applause.]

Mr. SULLOWAY. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, I presume that if this bill covered no other cases except those of men who have lost arms or legs or feet or hands, then there would not have been a single voice raised in opposition to it. I understood the gentleman from California [Mr. LOUD] to say that he would support any measure within reasonable bounds to compensate the man who had lost his leg or his arm.

Mr. LOUD. That is right.

Mr. GROSVENOR. My colleague from Ohio [Mr. NORTON] has well said what we all know, that these men not only suffer every hour of their lives, but that that suffering grows in intensity as age creeps on. If you take off from the human frame an arm, however well it may have healed up, the agony is there, the memory is there, the suffering is there, and as age comes on I think the increase here provided is small enough.

But the gentleman opposes another proposition, and wishes to know what there is behind it that justifies the increase up to \$30 a month for men now drawing a maximum of \$12 under the law

of 1890. The provision of the bill is well drawn. It is not subject to the criticisms that my friend from California [Mr. LOUD] has made. It provides only for "frequent and periodical conditions" that require an attendant. To take a soldier who fought for his country, and dress him and undress him and feed him and move him about, does not need any interpretation, it seems to me. If the disability had been incurred in line of duty, he would be entitled under the law, as it exists to-day, to \$72 a month; although I agree with the gentleman that there is a difference in the phraseology of the law, and it doubtless will have a different interpretation at the hands of the administering power of the Government.

Mr. SULLOWAY. There are 107,000 of these cases.

Mr. GROSVENOR. I am told by the chairman of the committee that there are 107,000 of these men.

Mr. SULLOWAY. That were pensioned under the act of 1890.

Mr. GROSVENOR. Drawing now only \$12 a month. Now the gentleman wants to know what is back of this. I will put it in a very few words, for I have not the eloquence, when it comes to talking about soldiers, that some gentlemen have, but I will tell you what I think is the underlying proposition. If any man with an honorable discharge, who bore the flag of his country to victory and brought it home in honor, is in such a condition that because of any event in his life he may become a charge upon charity or an inmate of the poorhouse, I believe the American people will justify an appropriation of money out of the public Treasury to insure that man, in all these periodical attacks of whatever the disease may be, that he shall not be consigned to poverty and starvation. [Applause.]

I believe that there is patriotism enough on both sides of the House to say that they resent it as a stigma and disgrace that a man who bore arms on either side of the great conflict, or any man who has been honorably discharged, shall go to the poor house. Thank God the States of this Union have done their duty on this subject, and now comes the committee with an intelligent report to the House of Representatives, and they have asked the House of Representatives to respond to the great heart, soul, and patriotism of the American people. I do not believe there will be any votes against this bill. [Applause.]

The SPEAKER. The gentleman from New Hampshire has two minutes remaining.

Mr. SULLOWAY. Question.

Mr. LOUD. I yield five minutes to the gentleman from Tennessee.

Mr. SIMS. Mr. Speaker, my objection to this bill chiefly lies to section 2—the one that increases pensions from \$12 a month under the act of 1890 to \$30 a month simply upon the certificate of the board of surgeons that the pensioner requires frequent and periodical attendance of another person. I want to ask the gentleman in charge of the bill, or some one else who can answer, whether this refers to the local board or the board of surgeons here in the Department?

Mr. CALDERHEAD. I think if the gentleman will read the bill he will find that it can only refer to the local board.

Mr. SIMS. I so understood it. Now, I want to say this: It has often come under my observation when persons apply for a pension or an increase and were ordered for examination before a local board it has said, "You are entitled to \$24, \$30, or \$36 a month," and when this pension application comes before the Pension Bureau they give a pension of \$8, \$10, and \$12, and then the applicant claims he has not been given what the local board recommended and wants increase by private act.

The local boards in my country are very sympathetic, and make the most liberal statements in reference to the trouble, disease, wound, or whatever the disabilities of applicants are. I want to say, so far as my own country is concerned, I think it would be a very easy matter to convince these local boards that it takes frequent and periodical attendance when it tends to increase the pension from \$12 to \$30 a month. I think this section ought to go out of the bill or the bill ought to be defeated. Having heard the two distinguished gentlemen from Ohio, General GROSVENOR and Mr. NORTON, upon this bill, I remember to have heard them here on one memorable occasion, when the eloquence of their words were unsurpassed, when they were describing the utter helplessness of the distinguished soldier, Gen. Americus V. Rice, when they represented that his condition was so terrible that he was always suffering. They stated a condition of suffering of the general that almost brought tears to the eyes of the members of this House, and as a result of their eloquence a bill was passed giving him a pension of \$100 a month.

It came to my knowledge a few days afterwards that this distinguished soldier was drawing a salary exceeding \$2,000 a year at that very time as an employee in the Census Office. It was represented that his condition was such that he was absolutely unable to do anything, and would need constant personal attention. A few weeks ago I had occasion to go to the Census Bureau for

some purpose, and was pleased to see General Rice there discharging his duties; not dead, and I was glad of it. Because, from the pathetic statements made by the two gentlemen from Ohio more than a year ago, I did not think that distinguished soldier could live so long. I was glad to see him still able to discharge his duties. I have no objection to his being employed.

I think that preference should be given to those who have served in the Army. But we ought to have the facts presented to us when we consider a bill. Here we found that this man was represented as being in such a condition that he was utterly helpless, and it did seem to me a little strange to see him discharging the important duties of an important position more than a year later. Now, I want to say that when we consider these appeals from members of Congress, and act upon them in such a way, with the neighborly feeling and comradeship that will exist with local boards, it will be a very easy matter to say that every one of these men who are now drawing \$12 a month will need periodical and frequent personal attention of another person. I think this section ought to go out of the bill or the bill be defeated. I hope the gentleman will consent to an amendment striking out this section.

The SPEAKER. The question is on suspending the rules, agreeing to the amendments, and passing the bill as amended.

The question was taken.

Mr. SIMS. Division, Mr. Speaker.

The House divided, and there were—ayes 95, noes 18.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended was passed.

LEAVE TO PRINT.

Mr. SULLOWAY. Mr. Speaker, I desire to ask unanimous consent that members may have leave to print remarks in the RECORD on the bill just passed.

The SPEAKER. Within what length of time?

Mr. SIMS. I object.

The SPEAKER. Objection is made.

#### HAWAIIAN SILVER.

Mr. SOUTHARD. Mr. Speaker, I move to suspend the rules and pass the bill S. 2210, with the committee amendments.

The SPEAKER. The gentleman from Ohio moves to suspend the rules and pass Senate bill 2210 with sundry amendments. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 2210) relating to Hawaiian silver coinage and silver certificates.

Be it enacted, etc., That the silver coins that were coined under the laws of Hawaii, when the same are not mutilated or abraded below the standard of circulation, shall be received at the par of their face value in payment of all dues to the government of the Territory of Hawaii and of the United States, and the same shall not again be put into circulation, but they shall be recoined in the mints as United States coins.

Sec. 2. That when such coins have been received by either Government they shall be transmitted to the mint at San Francisco, in sums of not less than \$500, to be recoined into subsidiary silver coins of the United States, the expense of transportation to be paid by the United States.

Sec. 3. That any collector of customs or of internal revenue of the United States in the Hawaiian Islands shall, if he is so directed by the Secretary of the Treasury, exchange standard silver coins of the United States that are in his custody as such collector with the Government of Hawaii, or with any person desiring to make such exchange, for coins of the Government of Hawaii, at their face value when the same are not abraded below the lawful standard of circulation, and the Treasurer of the United States, under the direction of the Secretary of the Treasury, is authorized to deposit such silver coins of the United States as shall be necessary with the collector of customs or of internal revenue at Honolulu or at any Government depository for the purpose of making such exchange under such regulations as he may prescribe.

Sec. 4. That any silver coins struck by the government of Hawaii that are mutilated or abraded below such standard may be presented for recoinage at any mint in the United States by the person owning the same, or his or her agents, in sums of not less than \$50, and such owner shall be paid for such coins by the superintendent of the mint the bullion value per troy ounce of the fine silver they contain in standard silver coin of the United States, and such bullion shall be coined into subsidiary coinage of the United States.

Sec. 5. That silver coins heretofore struck by the government of Hawaii shall continue to be legal tender for debts in the Territory of Hawaii, in accordance with the laws of the Republic of Hawaii, until the 1st day of January, 1904, and not afterwards.

Sec. 6. That any silver certificates heretofore issued by the government of the Hawaiian Islands, intended to be circulated as money, shall be redeemed by the Territorial government of Hawaii on or before the 1st day of January, 1905, and after said date it shall be unlawful to circulate the same as money.

Sec. 7. That nothing in this act contained shall bind the United States to redeem any silver certificates issued by the government of Hawaii, or any silver coin issued by such government, except in the manner and upon the conditions stated in this act for the recoinage of Hawaiian silver.

Sec. 8. That the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated, from any moneys in the Treasury of the United States not otherwise appropriated, for the payment of the expenses of transporting said coins from the Hawaiian Islands to the mint at San Francisco, and a return of a like amount in the subsidiary coins of the United States to the Hawaiian Islands.

Mr. SHAFROTH. Mr. Speaker, I demand a second.

Mr. SOUTHARD. I ask unanimous consent, Mr. Speaker, that a second may be considered as ordered.

The SPEAKER. The gentleman from Ohio asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

Mr. SOUTHARD. Mr. Speaker, this bill involves a single simple proposition. It proposes the retirement of the silver coin in Hawaii and its replacement by the subsidiary silver coin of the United States. It proposes to do for Hawaii practically what was done for Porto Rico in the act of March 12 or April 12, 1900. The conditions are somewhat different, of course. In Porto Rico their silver was worth at that time only about 50 cents on the dollar, and the act authorized the taking of that money at 60 cents on the dollar.

The Hawaiian silver coinage has always circulated at par, and this bill provides that it shall be received by the officers of the United States Treasury at par and replaced by the subsidiary coinage of the United States. All of the coinage of the Hawaiian Islands was done under the act of 1883. All of their silver coins were coined during the years 1884, 1885, and 1886, and during that period of time about \$1,000,000—I think exactly a million dollars—was coined in silver coin. There were 500,000 silver dollars, \$350,000 in half dollars, \$125,000 in quarter dollars, and \$25,000 in dimes. This constituted the total coinage of the Hawaiian Islands, and the proposition is, as I have already stated, to retire this silver coinage and replace it by the subsidiary silver coinage of the United States.

Mr. CRUMPACKER. Will the gentleman from Ohio yield for a question?

Mr. SOUTHARD. Certainly.

Mr. CRUMPACKER. How does the Hawaiian silver coin circulate in Hawaii—at par?

Mr. SOUTHARD. Yes, sir; at par, and always has done so.

Mr. CRUMPACKER. If the Federal Government should receive this coin at par and recoin it into subsidiary coin, it would lose how much on the dollar?

Mr. SOUTHARD. Under the provisions of this bill there will be a slight gain to the Treasury of the United States.

Mr. CRUMPACKER. Could not the Federal Government go into the market and buy bullion and make an equivalent amount of subsidiary coin for 50 per cent of the par value of Hawaiian silver coin now?

Mr. SOUTHARD. This silver coin has always circulated at par.

Mr. CRUMPACKER. I know, but could not the Government now go into the market and buy bullion and coin subsidiary coin and save at least 50 per cent of what it would if it took the Hawaiian coin at par and recoined it into subsidiary coin?

Mr. SOUTHARD. I suppose the Government could buy bullion and replace that coin more cheaply than it could by taking the coin at par, but it would be manifestly unfair to the people of the Hawaiian Islands.

Mr. CRUMPACKER. Yes, but will it not be manifestly unfair to the people of the United States if they take this coin at gold par and recoin it into subsidiary coin, when they could get the equivalent in bullion at one-half the amount of money?

Mr. SOUTHARD. Every dollar of this coin is circulating at par and is a legal tender in the Hawaiian Islands.

Mr. CRUMPACKER. Who made it a legal tender?

Mr. SOUTHARD. The government of Hawaii.

Mr. CRUMPACKER. What relation does the United States bear toward it?

Mr. SOUTHARD. The United States Government has become responsible no further than it assumed responsibility in the organic act.

Mr. CRUMPACKER. Did it provide for the maintenance of the Hawaiian silver coin on a par with gold?

Mr. SOUTHARD. It does not expressly, but the Hawaiian silver coin is maintained at a par value with gold.

Mr. CRUMPACKER. Does the act of Congress make it legal tender?

Mr. SOUTHARD. No further than that they are legal tender by reason of circulating at par in Hawaii. The act of Congress does not make the coins of Hawaii legal tender.

Mr. CRUMPACKER. I do not see why we should take these coins at par and recoin them into subsidiary coin when we could make the equivalent amount of money by buying bullion. It would be a generous act to Hawaii, I admit, but directly against the interests of the people of the United States.

Mr. SOUTHARD. Let me ask the gentleman a question. Would the United States take a single dollar of Hawaiian money and replace it with less than the value of that which it took?

Mr. CRUMPACKER. What is the object of taking it if it will circulate in Hawaii on a par with gold? What is the object of it?

Mr. SOUTHARD. I will state two or three objects. One object is to have a uniform currency. Another object is that while favorable conditions exist to-day, they may not always remain as they are in the Hawaiian Islands. It is something that is universally desired by the people of Hawaii. It is something which is desired by our own Government. So far as I know, everybody wants it. The bill passed the Senate, as I understand, without



any division. It is a unanimous report from the Committee on Coinage, Weights, and Measures. So far as I know, there is no objection from any source in any of the provisions of this bill. The Hawaiian coin has a limited circulation, and it doubtless would be to the advantage of Hawaii to replace their coin by that of the United States.

All it costs the Government is the expense of coinage, and the Government will be more than reimbursed by what, in discussing the bill in the Senate, was called the seigniorage; that is, the gain which will come to the Government by reason of the coinage of 500,000 silver dollars and replacing them by an equal amount in half dollars.

This bill, as I have said, came from the Senate, and, as announced, it has been amended. It was referred to the Secretary of the Treasury, and he made a single suggestion. The original bill provided that the expense of collecting these coins, bringing them to this country and taking them back to Hawaii, should be borne equally by the Hawaiian Territorial Government and by the United States. The Secretary of the Treasury made the suggestion that it would be impracticable to divide this expense, and he suggested that as the Treasury would receive some gain by reason of the coinage of the 500,000 silver dollars, the bill should provide that the expense of bringing the money here and taking it back should be borne by the Treasury of the United States.

That suggestion is carried out in two amendments which are presented in this bill. Section 2 has been stricken out and a new section substituted, and an additional section has been added to the Senate bill appropriating \$10,000 for the purpose of defraying the expenses of this transportation. In my judgment this expense will be very small. But there will be some expense and some provision should be made for it. That is the suggestion embodied in the two amendments I have mentioned.

Mr. CRUMPACKER. Was this coin maintained at par with gold before the acquisition of the Hawaiian Islands?

Mr. SOUTHARD. It was.

Mr. CRUMPACKER. By what means—by limiting the amount?

Mr. SOUTHARD. I have never been able to see just why it was maintained at par. In the first place, as already observed, the silver coinage was in a very limited amount.

Mr. CRUMPACKER. It was coined by the Government.

Mr. SOUTHARD. Coined by the United States.

Mr. CRUMPACKER. It was coined by the Hawaiian government, I believe.

Mr. SOUTHARD. Yes; coined by the Hawaiian government, but coined at San Francisco at the United States mint. The fact remains, I presume, that it is largely the use of this coinage that keeps it at par. Of course, the larger amount of money circulating in Hawaii is American money. Its limited quantity, legal-tender quality, and its use, everything connected with it—this situation has served to keep it at par. It always has been at par, and it is now circulating at par.

Mr. Speaker, I reserve the balance of my time.

Mr. SHAFROTH. Mr. Speaker, I am opposed to the passage of this bill for the reason that I do not see any necessity for interfering with the money that now exists in Hawaii. Hawaii has about \$500,000 in what is termed Hawaiian dollars. They contain the same quantity of silver as does the American dollar—412½ grains, nine-tenths fine. On those silver dollars the Hawaiian government has issued silver certificates, so that a large part—two-thirds or three-fourths, or it may be four-fifths—of the silver dollars have had silver certificates issued upon them.

These dollars are as perfect dollars as the United States dollars. They were coined by our mint. They were just as carefully coined as any of our own coins. Consequently there is no occasion on account of bad coinage to substitute dollars of our own or to substitute subsidiary coin.

In the next place, the subsidiary coin of Hawaii was also coined by our Government, and these subsidiary coins contain exactly the same number of grains of silver as the corresponding coin of the United States. These coins all circulate at gold valuation, although there is no gold reserve behind them. Consequently there is no question here of these coins being at or going to a discount. Although some fears have been expressed by some people in this regard, no one has ever offered to sell one of these coins at a discount of so much as a half of 1 per cent.

Now, my judgment is that if we let this question alone it will solve itself. The passengers on every vessel that lands at Honolulu carry away as souvenirs some of this silver money. Almost everyone on the steamer I was on collected and retained some of the coins of those islands. I am sure I did. I have not any doubt the time will come when these Hawaiian coins will actually be worth more in the market as souvenirs than their face value in Hawaii.

Mr. GILBERT. How many are there?

Mr. SHAFROTH. Five hundred thousand of the dollars and

some less of the subsidiary coin—probably \$450,000 of subsidiary coin.

Now, I can not see any reason why the Government of the United States should be put to the expense of transporting from the Hawaiian Islands this money, melting it down, and recoinng it into exactly corresponding amounts of United States money. This is not the same problem as that we had in Porto Rico, because there they had a different kind of coin, not containing the same number of grains of silver or bearing any relation to our money whatever, but the coins of Hawaii are identical with ours and they are identical in purchasing power as our money. If you wanted to, you might pass a law giving the Hawaiian coins the legal-tender powers in the United States which they possess there, which would make uniformity, but there is no complaint that these coins will not pass, there is no complaint that they do not have free circulation.

Now, Mr. Speaker, it seems to me the passage of this bill will cause a useless expenditure of money. Besides, this bill provides that the Hawaiian dollars shall be coined into subsidiary coin. Now, it is true that the dollar is not full legal tender in Hawaii. It is true it is limited to ten or twenty dollars, I forget which, but the power exists in Hawaii of issuing silver certificates upon those silver dollars in denominations of more than \$1, and the result of it is those silver certificates constitute principally the circulating medium of the islands. Now, to provide that these dollars shall be melted down and replaced by subsidiary United States coin is evidently going to interfere somewhat seriously with the currency there.

Their five-dollar and ten-dollar certificates will unquestionably be affected, and this bill proposes to supplant them with subsidiary American coin. I do not see that any good purpose can be subserved by that. The silver coins pass current. They are not at a discount. Some people have thought they might go to a discount, but anyone who knows the commerce of those islands, who knows you can pay with these coins dues to the government, taxes upon lands and other property in the islands, and debts contracted must be satisfied that they can not go to a discount.

Mr. SOUTHARD. Will the gentleman yield?

Mr. SHAFROTH. Yes, sir.

Mr. SOUTHARD. Suppose the gentleman were trading with this country and had \$100,000 of Hawaiian silver. Would the gentleman just as soon have it as American silver?

Mr. SHAFROTH. I do not understand the gentleman.

Mr. SOUTHARD. Supposing the gentleman were a banker over there and had accumulated \$100,000 of Hawaiian silver?

Mr. SHAFROTH. Yes.

Mr. SOUTHARD. Would the gentleman as soon have it as American silver?

Mr. SHAFROTH. Why, I think the rate of exchange would be identically the same. They never had any difficulty in dealing with us before they were admitted as a part of this country.

Mr. SOUTHARD. Supposing the gentleman wanted to use that in this country, can the gentleman imagine conditions under which that would not be as valuable?

Mr. SHAFROTH. I will tell the gentleman what would be a good deal better than that and would not cost anything, and that is to give those coins legal-tender power in the United States the same that they possess in Hawaii. That would answer the purpose without any melting of these coins, and without recoinng them into subsidiary coin.

Mr. SOUTHARD. Does not the gentleman think that we ought to have uniformity in our currency system?

Mr. SHAFROTH. I think uniformity should exist if it can be obtained at a reasonable cost.

Mr. GAINES of Tennessee. There is a very practical uniformity now.

Mr. SHAFROTH. There is practical uniformity in the number of grains of silver contained in each piece.

Mr. GAINES of Tennessee. They both circulate exactly alike.

Mr. SHAFROTH. Exactly. You never ask when you are in Hawaii whether it is Hawaiian coin or coin of the United States. Now, Mr. Speaker, one of the reasons why I oppose this bill is because it melts down these dollars and makes subsidiary coin out of them, and I do not think that is right, although these dollars have not the full legal-tender quality that our American coins have.

Mr. SLAYDEN. If the gentleman will permit a suggestion, I would say that no other dollar is substituted, but subsidiary coin is substituted.

Mr. SHAFROTH. It substitutes subsidiary coin, according to the terms of this bill. Now, there is another question which is raised by the gentleman from Indiana [Mr. CRUMPACKER]. I do not know whether there is any duty resting upon us contained in the agreement of annexation between Hawaii and this Government to replace their money with ours. If there is it ought to be complied with. But if the United States is to coin

\$1,000,000 in subsidiary coins for circulation in Hawaii it can buy the bullion at half what it will take to purchase the Hawaiian coins. If according to the terms of annexation it is the duty of Hawaii to take care of her issues of money and we to take care of our coins, which have always been in circulation there, then to pass this bill will be to make a gift to that Territory of \$500,000. Now, I do not know whether there is an obligation or not. If there is it ought to be complied with.

Mr. GAINES of Tennessee. What sort of an obligation does the gentleman refer to?

Mr. SHAFROTH. I do not know whether we agreed to take care of these coins or not.

Mr. GAINES of Tennessee. We did not. There is no such provision in the treaty.

Mr. SHAFROTH. I do not know whether we did or not. If we did, we ought to do it, no matter whether it costs \$500,000 or \$10,000,000.

Mr. GAINES of Tennessee. We simply continued the existing laws in force, which made these dollars legal tender.

Mr. SHAFROTH. I wish to say in conclusion that this bill involves silver coins of the value of about \$950,000, \$500,000 of which are in dollars, and of which \$450,000 are hypothecated for the redemption of silver certificates, issued in denominations, I understand, from \$5 up. The balance is in subsidiary coin, containing identically the same number of grains of silver that our corresponding coins contain, and known as quarters, halves, and dimes, exactly the same as ours.

They all circulate in Hawaii at a par with our coin, one being freely exchanged for the other. The cost of transporting this coin from Hawaii to San Francisco and coining it into subsidiary coin of American money and the reshipment back will amount to a considerable sum. The expense is entirely unnecessary and will disturb their circulating medium. You can not substitute subsidiary coin for their large silver certificates without producing a redundancy of small money and a shortage of large money. Besides, I am absolutely opposed to the melting of silver dollars for the purpose of coining into subsidiary coins. For these reasons I am opposed to the passage of this bill.

How much time have I remaining, Mr. Speaker?

The SPEAKER pro tempore (Mr. DALZELL). The gentleman has nine minutes remaining.

Mr. SHAFROTH. I yield five minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. MADDOX. Before the gentleman does that I wish to ask him who suffers the loss of the \$450,000?

Mr. SHAFROTH. That loss will be suffered by the United States.

Mr. MADDOX. It will?

Mr. SHAFROTH. In this way: It could buy the bullion out of which to make this corresponding amount of subsidiary coin for \$400,000 less than it could take up the Hawaiian coins and melt them down.

Mr. ROBINSON of Indiana. Who gets the revenues from the Hawaiian Islands?

Mr. SHAFROTH. Some of the revenues our Government gets and some the Territory itself gets.

Mr. ROBINSON of Indiana. But a vast amount collected from Hawaii goes into the United States Treasury.

Mr. SHAFROTH. Yes, some; but I do not know the amount.

Mr. HILL. We are responsible for this anyway. We can not help ourselves.

The SPEAKER. The gentleman from Tennessee [Mr. GAINES] is recognized for five minutes.

Mr. GAINES of Tennessee. Mr. Speaker, I do not know that I shall use that much time; but I want to say that on my way home from the Orient we stopped at Honolulu, and there, as elsewhere, I made it my duty to investigate matters that would be pertinent to our action here in Congress. Therefore, I at once riveted my attention on the money question, knowing that we had had that question up in Congress and would have it up again.

I found that the Hawaiian money passed *pari passu* with the American money; that the Hawaiian dollar passed just as freely as the American dollar; that there was no objection whatever from anybody to allowing the money to remain just as it is.

Mr. SNODGRASS. I should like to ask the gentleman the authority for this Hawaiian money.

Mr. GAINES of Tennessee. I was just about to state that the "existing" laws of Hawaii were continued when we annexed Hawaii, and the "existing" law of Hawaii made this money, as I recollect it, a full legal tender.

Mr. HILL. Up to \$10.

Mr. GAINES of Tennessee. Well, say \$10; but my recollection was that it was full legal tender.

Mr. SNODGRASS. Was that by the terms of the treaty?

Mr. GAINES of Tennessee. Yes; the "existing" law of Hawaii made this money legal tender, and it has remained so by the statu-

te of annexation and is so now, and that is the law of that land now.

Mr. SNODGRASS. It is a part of the law of the United States?

Mr. GAINES of Tennessee. Yes, as stated. The statute of annexation continued the existing Hawaiian laws, which laws made the Hawaiian dollar a legal tender. I regret the hearings have not been printed. My recollection is the ex-collector of United States revenue there said that it was a full legal tender, but if it was only for 5 cents I say that in Hawaii these coins passed freely. It was taken by everybody as freely as American money. There was no difficulty with anybody in taking the money. I asked them if there was any trouble and they said "no." The bankers, who get their money in small amounts, said they did not want any change in the money made, and said it was good enough for them; so with the street car men and merchants. The gentleman from Connecticut states it only passes as legal tender up to \$10. He may be correct.

I so understood the answer to the question asked when we had the hearings, and the gentleman who deposed at the time made a statement, which is a part of his testimony, in respect to the law; but it seems the testimony has not been printed, so I am not definite about that. But this money is absolutely acceptable to everybody. It is acceptable to the Government of the United States; it is acceptable to the Hawaiian government; it is acceptable to the capitalists there; acceptable to the street car men, and to the laborers of that country.

Will you pray tell me what right and what justice there is in grinding it up into subsidiary coins at the expense of somebody, the Government of the United States at least, if not those now holding this money? Hence it is a matter of business, is a matter of economy, is a matter of justice to those people who hold this money not to change it. They sustain the loss.

Why, everybody over there is paid in this money. I changed my money, and in a few minutes I had my pockets full of it, and I had no trouble with it. Why should you, then, strike down this money? Why should it be ground into subsidiary coin, that has a limited tender, when there is no complaint; when it is in the pockets of the people and the laborers, and they are not complaining? I say there is no wisdom, no justice, nor right in doing so, and hence it is that I object to the whole proposition. Let it alone, and let it do, as it is, full legal-tender money duty for everybody.

Mr. SOUTHARD. How much time have I remaining?

The SPEAKER. The gentleman has five minutes.

Mr. SOUTHARD. I yield to the gentleman from Connecticut.

Mr. HILL. Mr. Speaker, if I can have the attention of the House for a few moments while I explain this bill I believe that every man on this floor will vote for it. The government of Hawaii under the old system had coined a million dollars of silver. It is all subsidiary. It has no legal-tender power in excess of \$10. The bill is purely a business matter. It has passed the Senate unanimously. Senator TELLER, of Colorado, made a speech in favor of the bill, and there was no opposing vote when the bill passed the Senate early in the session. It has not only passed at this session, but it passed at the last session.

Now, the facts in the case are simply these: Under the old government a million dollars of subsidiary coin was coined. The dollar was subsidiary, with tender limited to \$10. The only difference between that dollar and ours is this: While theirs corresponded with ours in fineness and in size it does not correspond in its legal-tender quality. We are responsible for them. We have to take them anyway, and it is simply a question of whether we will have two kinds of coin. It can be bought at a discount and sold at the bullion rates if the banks refuse to accept it in any future transaction. It can not be refused on existing transactions, but they can draw notes or documents saying that in the future only American coin shall be received.

Now, the Post-Office Department of the Government says, "What are we going to do with these two kinds of money in circulation? If the banks refuse to take it we shall have to take it in unlimited quantities." I have here a letter sent to me from the Post-Office Department only a few days ago, asking information as to what they were to do. It was signed by Mr. Wynne, the First Assistant Postmaster-General, inclosing a letter from the postmaster at Honolulu, by which you will see the position in which the Government, not the people of Hawaii, is placed from the fact that the Government is called on to take it.

Mr. HOPKINS. Will the gentleman permit me to ask him a question?

Mr. HILL. Certainly.

Mr. HOPKINS. Is this money received by the Government for customs dues?

Mr. HILL. It is legal tender up to \$10.

Mr. HOPKINS. If our Government receives it at its face value, does the gentleman believe that it would be depreciated in any private transaction?



Mr. HILL. Why, certainly I believe it would. It had only legal-tender quality for \$10.

Mr. HOPKINS. If the Government receives it at par value, it will go everywhere.

Mr. HILL. Why does not a Mexican dollar go as far in Mexico? But why argue theoretically on a business proposition of this kind?

Mr. GAINES of Tennessee. Does not the gentleman know it is full legal tender between this Government and the people?

Mr. HILL. Its legal-tender quality is limited to the sum of \$10.

Mr. GAINES of Tennessee. Does it not go up on all sorts of contracts between the people there?

Mr. HILL. Do you suppose anybody would take this in amounts of more than \$10.

Mr. GAINES of Tennessee. That is an evasive answer to my question.

Mr. HILL. It does not.

Mr. GAINES of Tennessee. It is accepted by everybody there.

Mr. HILL. It has no legal function outside of \$10.

Mr. GAINES of Tennessee. But it is received over there for all amounts.

Mr. HILL. Not in this coin.

Mr. GAINES of Tennessee. I was there, and it was accepted for all duties.

Mr. HILL. In this country?

Mr. GAINES of Tennessee. Not in this country, but in that country.

Mr. HILL. The following is the letter:

POST-OFFICE DEPARTMENT,  
OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL,  
DIVISION OF THE POSTAL MONEY ORDER SYSTEM,  
Washington, D. C., June 2, 1902.

SIR: In connection with the matter of the redemption of coin of Hawaii, upon which subject some legislation is pending, please find herewith, for your information, a copy of a letter from the postmaster at Honolulu, Hawaii, of date of the 20th ultimo.

It would seem that the subject is one well worthy of prompt attention.

Respectfully,

R. J. WYNNE,

First Assistant Postmaster-General,

Hon. E. J. HILL,  
Chairman Committee on Banking and Currency,  
House of Representatives.

HONOLULU POST-OFFICE, Honolulu, H. I., May 20, 1902.

Hon. FIRST ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C.

SIR: With further reference to my letter of November 13 last, in re Hawaiian silver coin, I would again call your attention to the fact that some of the bankers here are again agitating the advisability of not receiving Hawaiian coin.

One bank here has deposited in its vaults about \$200,000 silver, about four-fifths of which is Hawaiian, which they claim can not be sent to any other part of the United States in payment of debts, leaving about only one-fifth American silver available for that purpose.

While there is no threat made that they will refuse Hawaiian silver, there is a hint given that they may do so, in which case this office would have to do the same.

About the first of each month a great proportion of this coin is shipped to the various plantations to pay off the employees, but by the middle of the month it finds its way back to Honolulu again, considerable of it through the post-office, and is soon piled up in the banks as before.

I submit the above facts in order that the Department may be aware of the conditions that exist here, and perhaps take some immediate action before it is taken up here with perhaps serious results to the community.

Respectfully,

JOS. M. OAT, Postmaster.

Now, gentlemen, that is all there is of it. We can not help ourselves.

The SPEAKER. The time of the gentleman from Connecticut has expired.

Mr. HILL. I ask unanimous consent for one minute more.

Mr. SHAFROTH. I yield one minute to the gentleman.

Mr. HILL. There is only this about it—we have got to take it, either through the custom-house or the post-office. We will make \$15,000 by recoinage into our own money.

Mr. GAINES of Tennessee. If that is the case, how will it bankrupt the United States to coin silver money? [Laughter.]

Mr. SOUTHARD. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has five minutes, and the gentleman from Colorado has two minutes.

Mr. SHAFROTH. Mr. Speaker, in reply to the gentleman from Connecticut, I will say that it seems to me that because a bill may pass the other body without a contest is no reason why it should pass this body. In my judgment there is no substantial reason for the passage of this bill. These coins circulate at par and contain the same number of grains of silver as the American coins. They will take care of themselves if you let them alone.

All of the tourists that go to Hawaii take away a number of them to keep as souvenirs. In time they will consume the entire circulation, and it will not cost the Government one penny. If there was no other reason than that, it seems to me the bill should not pass.

Besides, there are \$500,000 upon which silver certificates have been issued in denominations of five and ten dollars. If you are going to substitute subsidiary coin you will inconvenience the people of Hawaii. Subsidiary silver coin is not as convenient as bills of five and ten dollar denominations in large transactions. The fact that the United States Government receives this silver coin in payment of duties to the Government, the fact that the Territorial government receives them in payment of all taxes—municipal and county—ought to convince anyone that there is no danger of them going to a discount, or that any of this money will go to a discount.

To recoin this money, to bring it to the United States and melt it down and recoin it into coins of precisely the same number of grains as exists in our money, will involve the expenditure of a considerable sum. If there is no obligation resting upon the Government to redeem it, if Hawaii was to take care of her money and we were to take care of ours, you can readily see that the Government of the United States will lose \$450,000 by recoinage, because it can buy one million of bullion in the market and coin it into subsidiary coin by the payment of \$450,000. If there is any obligation I would not allow that to weigh one particle.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. SOUTHARD. Mr. Speaker, the gentleman admits his whole case away when he says that the coins circulate under different conditions. Two coins circulating under admittedly different conditions will at some time be of varying value. It can not possibly be otherwise, and when he says that he should oppose a law making an Hawaiian dollar unlimited legal tender, he admits his whole case. It is for the purpose of keeping \$500,000 more silver in circulation that the gentleman takes the position that he does. So far as we know, the gentleman and one or two others are the only ones who have interposed any objection to what is proposed in the bill. The people of Hawaii are all in favor of it. Our Treasury Department is in favor of it.

Mr. SHAFROTH. Have you any petitions?

Mr. GAINES of Tennessee. The gentleman from Ohio says that the people of Hawaii are in favor of it. Where does he get his information?

Mr. SOUTHARD. If the gentleman from Tennessee had read the report in this case, he would not ask that question.

Mr. GAINES of Tennessee. Well, as I have not the report here, I ask the gentleman the question. I deny that the people of Hawaii do want it.

Mr. SOUTHARD. I get it in part from a letter of S. M. Damon, published in the report. I get it also from other sources. This is legislation uniformly demanded, it is something that everybody wants, and the bill ought to pass without objection. Mr. Speaker, I ask for a vote.

The SPEAKER. The motion is to suspend the rules and agree to the amendment and pass the bill as amended.

The question was taken; and the Speaker announced that the yeas had it.

Mr. SHAFROTH. Mr. Speaker, I demand a division.

The House proceeded to divide.

Mr. SOUTHARD (before the announcement of the vote). Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The yeas and nays are demanded by the gentleman from Ohio.

The yeas and nays were ordered.

The question was taken; and there were—yeas 114, nays 71, answered "present" 13, not voting 153; as follows:

#### YEAS—114.

Alexander,	Darragh,	Ketcham,	Reeves,
Allen, Me.	Deemer,	Kyle,	Roberts,
Aplin,	Dick,	Lacey,	Robinson, Ind.
Barney,	Dovener,	Lawrence,	Rumple,
Bartholdt,	Draper,	Lessler,	Scott,
Bates,	Driscoll,	Lewis, Pa.	Shattuc,
Bishop,	Eddy,	Long,	Sherman,
Boutell,	Emerson,	Loud,	Showalter,
Bowersock,	Esch,	Loudenslager,	Sibley,
Brick,	Evans,	McCleary,	Smith, Ill.
Bristow,	Foerderer,	McLachlan,	Smith, S. W.
Bromwell,	Gibson,	Martin,	Southard,
Brown,	Gillet, N. Y.	Mercer,	Sperry,
Burk, Pa.	Graff,	Metcalfe,	Steele,
Burke, S. Dak.	Grosvenor,	Minor,	Stewart, N. J.
Burkett,	Grow,	Mondell,	Stewart, N. Y.
Burton,	Hamilton,	Moody, N. C.	Sutherland,
Calderhead,	Hedge,	Moody, Oreg.	Tawney,
Cannon,	Hemenway,	Moss,	Thomas, Iowa
Capron,	Henry, Conn.	Olmsted,	Tompkins, Ohio
Cassel,	Hepburn,	Otjen,	Tongue,
Conner,	Hill,	Overstreet,	Van Voorhis,
Cousins,	Hopkins,	Palmer,	Vreeland,
Cromer,	Hull,	Patterson, Pa.	Wachter,
Crumpacker,	Irwin,	Payne,	Wadsworth,
Currier,	Jenkins,	Perkins,	Warnock,
Curtis,	Jones, Wash.	Powers, Me.	Woods.
Cushman,	Joy,	Ray, N. Y.	
Dalzell,	Kahn,	Reeder,	

## NAYS—71.

Ball, Tex.	Fleming,	Little,	Shafroth,
Bartlett,	Flood,	Lloyd,	Shallenberger,
Bell,	Gaines, Tenn.	McCulloch,	Sims,
Bellamy,	Gilbert,	McRae,	Slayden,
Brantley,	Glenn,	Maddox,	Snodgrass,
Breazeale,	Griffith,	Mickey,	Snook,
Brundidge,	Griggs,	Miers, Ind.	Spight,
Burleson,	Hay,	Moon,	Stark,
Burnett,	Henry, Miss.	Neville,	Stephens, Tex.
Candler,	Hooker,	Norton,	Swanson,
Cassingham,	Howard,	Ransdell, La.	Thomas, N. C.
Clayton,	Jackson, Kans.	Reid,	Thompson,
Cochran,	Jones, Va.	Richardson, Tenn.	Underwood,
Cowherd,	Kitchin, Claude	Rixey,	Vandiver,
Davis, Fla.	Kitchin, Wm. W.	Robb,	Williams, Miss.
De Armond,	Kleberg,	Rucker,	Wooten,
Dougherty,	Lanham,	Ryan,	Zenor.
Edwards,	Lewis, Ga.	Selby,	

## ANSWERED "PRESENT"—13.

Adamson,	Fitzgerald,	McClellan,	Pou.
Benton,	Gillett, Mass.	Mann,	
Bowie,	Johnson,	Padgett,	
Dinsmore,	Landis,	Pierce,	

## NOT VOTING—153.

Acheson,	Fletcher,	Lester,	Scarborough,
Adams,	Fordney,	Lever,	Schirm,
Allen, Ky.	Foss,	Lindsay,	Shackelford,
Babcock,	Foster, Ill.	Littauer,	Shelden,
Ball, Del.	Foster, Vt.	Littlefield,	Sheppard,
Bankhead,	Fowler,	Livingston,	Skiles,
Beidler,	Fox,	Lovering,	Small,
Belmont,	Gaines, W. Va.	McAndrews,	Smith, Iowa
Bingham,	Gardner, Mich.	McCall,	Smith, Ky.
Blackburn,	Gardner, N. J.	McDermott,	Smith, H. C.
Blakeney,	Gill,	McLain,	Smith, Wm. Alden
Boreing,	Goldfogle,	Mahon,	Southwick,
Broussard,	Gooch,	Mahoney,	Sparkman,
Brownlow,	Gordon,	Marshall,	Stevens, Minn.
Bull,	Graham,	Maynard,	Storm,
Burgess,	Green, Pa.	Meyer, La.	Suloway,
Burleigh,	Greene, Mass.	Miller,	Sulzer,
Butler, Mo.	Hall,	Morgan,	Talbert,
Butler, Pa.	Hanbury,	Morrell,	Tate,
Caldwell,	Haskins,	Morris,	Taylor, Ohio
Clark,	Haugen,	Mudd,	Taylor, Ala.
Connell,	Heatwole,	Mutcher,	Thayer,
Conry,	Henry, Tex.	Napfen,	Tirrell,
Coombs,	Hildebrandt,	Needham,	Tompkins, N. Y.
Cooney,	Hitt,	Nevin,	Trimble,
Cooper, Tex.	Holliday,	Newlands,	Wanger,
Cooper, Wis.	Howell,	Parker,	Warner,
Corliss,	Hughes,	Patterson, Tenn.	Watson,
Creamer,	Jack,	Pearre,	Weeks,
Crowley,	Jackson, Md.	Powers, Mass.	Wheeler,
Dahle,	Jett,	Prince,	White,
Davey, La.	Kehoe,	Pugsley,	Wiley,
Davidson,	Kern,	Randell, Tex.	Williams, Ill.
Dayton,	Kluttz,	Rhea, Va.	Wilson,
De Graffenreid,	Knapp,	Richardson, Ala.	Wright,
Douglas,	Knox,	Robertson, La.	Young.
Elliott,	Lamb,	Robinson, Nebr.	
Feely,	Lassiter,	Ruppert,	
Finley,	Latimer,	Russell,	

So (two-thirds not voting in favor thereof) the motion was not agreed to.

The following additional pairs were announced:

Until further notice:

Mr. HASKINS with Mr. JOHNSON.

For this day:

Mr. BLACKBURN with Mr. BUTLER of Missouri.

Mr. HITT with Mr. GOOCH.

Mr. JACKSON of Maryland with Mr. ALLEN of Kentucky.

Mr. COOPER of Wisconsin with Mr. HENRY of Texas.

Mr. BURLEIGH with Mr. FOX.

Mr. FOWLER with Mr. RICHARDSON of Alabama.

Mr. STEVENS of Minnesota with Mr. RANDELL of Texas.

Mr. SULLOWAY with Mr. RUPPERT.

Mr. STORM with Mr. SMITH of Kentucky.

Mr. TOMPKINS of New York with Mr. THAYER.

Mr. NEEDHAM with Mr. WILLIAMS of Illinois.

Mr. PEARRE with Mr. WILEY.

On this vote:

Mr. KNAPP with Mr. DE GRAFFENREID.

Mr. ADAMS with Mr. DINSMORE.

Mr. BEIDLER with Mr. COOPER of Texas.

Mr. FOSS with Mr. LIVINGSTON.

Mr. HANBURY with Mr. FITZGERALD.

Mr. HUGHES with Mr. LESTER.

Mr. GRAHAM with Mr. GOLDFOGLE.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4957. An act granting an increase of pension to Stiles L. Acee;

S. 5660. An act granting a pension to George W. Berry;

S. 4827. An act granting an increase of pension to George W. Stott;

S. 2545. An act granting a pension to William Johnston;  
S. 5481. An act granting a pension to Daniel Dougherty;  
S. 3365. An act granting an increase of pension to Eliza Miller;  
S. 6008. An act granting an increase of pension to David Vickers;  
S. 4211. An act granting an increase of pension to James M.

Conrad;

S. 6015. An act granting an increase of pension to Clara M.

Gihon;

S. 5659. An act granting an increase of pension to Malinda

Heard;

S. 5747. An act granting an increase of pension to James E.

Bader;

S. 4251. An act granting an increase of pension to William C.

Banta;

S. 5901. An act granting an increase of pension to Orange Sells;

S. 4811. An act granting an increase of pension to John W.

Dick;

S. 4493. An act granting an increase of pension to Michael

Volz;

S. 3715. An act granting an increase of pension to Henry

Weaver;

S. 3315. An act granting an increase of pension to George W.

Bradshaw;

S. 4454. An act granting an increase of pension to John D.

Sullivan;

S. 5758. An act granting an increase of pension to David Ham;

S. 3423. An act granting an increase of pension to Maria V.

Stadtmueller;

S. 2306. An act granting a pension to William H. Lessig;

S. 1666. An act granting an increase of pension to Rufus V. Lee;

S. 4121. An act granting a pension to Elizabeth Jacobs;

S. 5239. An act granting an increase of pension to Joseph O.

Kerbey, alias Joseph A. Kerbey;

S. 3644. An act granting a pension to James Mealey;

S. 3238. An act granting an increase of pension to Martha

Elizabeth Hench;

S. 5076. An act granting an increase of pension to Katharine

W. Clarke;

S. 2283. An act granting an increase of pension to William F.

Angevine;

S. 3180. An act granting an increase of pension to Emma L.

Ferrier;

S. 5944. An act granting an increase of pension to Frederick

W. Wiley, alias William F. Wiley;

S. 4308. An act for the relief of Kate A. Nolan;

S. 4517. An act for the relief of Priscilla R. Burns;

S. 587. An act for the relief of A. M. Darling, administrator;

and

S. 1792. An act to amend an act entitled "An act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property;"

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 13554. An act granting an increase of pension to Andrew

E. Hicks;

H. R. 9366. An act granting an increase of pension to Peter T.

Norris;

H. R. 7906. An act granting a pension to Martha G. Young;

H. R. 7882. An act granting an increase of pension to John H.

Smith;

H. R. 14079. An act granting an increase of pension to John

Miller;

H. R. 6402. An act granting a pension to Mary J. Adams;

H. R. 14224. An act granting an increase of pension to Marga-

ret S. Tod;

H. R. 5018. An act granting an increase of pension to Johann

Conrad Haas;

H. R. 10767. An act granting an increase of pension to

Louisa N. Grinstead;

H. R. 12770. An act granting an increase of pension to Carrie

M. Schofield;

H. R. 8781. An act granting a pension to Mary E. Holbrook;

H. R. 5866. An act granting an increase of pension to William

P. Schott, alias Jacob Schott;

H. R. 2470. An act granting an increase of pension to Charles

P. Maxwell;

H. R. 13423. An act granting an increase of pension to Eliza-

beth Wall;

H. R. 2192. An act granting an increase of pension to Benja-

min F. Sheurer;

H. R. 7353. An act granting a pension to Nancy M. Williams;

H. R. 12305. An act granting an increase of pension to Charles

Olson;

H. R. 13691. An act granting an increase of pension to James

M. Conrad;



H. R. 14052. An act granting an increase of pension to George Fusselman;  
 H. R. 10954. An act granting an increase of pension to Mary J. Gillam;  
 H. R. 14374. An act granting a pension to Samantha Towner;  
 H. R. 5877. An act granting a pension to Robert Watts;  
 H. R. 3262. An act granting an increase of pension to David T. Bruck;  
 H. R. 1466. An act granting a pension to Alfred Hatfield;  
 H. R. 292. An act granting a pension to Henrietta Gottweis;  
 H. R. 5328. An act granting an increase of pension to Samuel Bortle;  
 H. R. 7986. An act granting a pension to Clara C. Hawks;  
 H. R. 3986. An act granting a pension to Martha A. Cornish;  
 H. R. 12409. An act granting an increase of pension to Jesse M. Peck;  
 H. R. 3677. An act granting an increase of pension to James F. Gray;  
 H. R. 9710. An act granting an increase of pension to Elizabeth J. Eagon;  
 H. R. 12976. An act granting an increase of pension to Jacob Smith;  
 H. R. 6847. An act to correct the record of Michael Hayes;  
 H. R. 8457. An act granting an increase of pension to Gibboney F. Hoop;  
 H. R. 8780. An act granting an increase of pension to Pierson L. Shick;  
 H. R. 6414. An act granting an increase of pension to William W. H. Davis;  
 H. R. 11327. An act granting an increase of pension to Charles E. Pettis;  
 H. R. 13378. An act granting an increase of pension to Edwin Beckwith;  
 H. R. 10255. An act granting a pension to Margaret Tisdale;  
 H. R. 14359. An act granting a pension to Luther G. Edwards;  
 H. R. 8109. An act granting an increase of pension to William H. McCarter;  
 H. R. 12774. An act granting an increase of pension to John M. Brown;  
 H. R. 14012. An act granting a pension to Fannie Reardon;  
 H. R. 14118. An act granting an increase of pension to Mary C. Bickerstaff;  
 H. R. 10172. An act granting an increase of pension to Thomas Finegan;  
 H. R. 13946. An act granting an increase of pension to Stephen B. Todd;  
 H. R. 1478. An act granting an increase of pension to Henry Runnels;  
 H. R. 5550. An act for the relief of W. C. Taylor;  
 H. R. 3263. An act granting an increase of pension to John Revley;  
 H. R. 954. An act granting an increase of pension to Rachael Brown;  
 H. R. 6991. An act granting an increase of pension to Esek B. Chandler;  
 H. R. 12047. An act granting an increase of pension to Jackson L. Wilson;  
 H. R. 12724. An act granting an increase of pension to Richard M. Kellough;  
 H. R. 12408. An act granting an increase of pension to John A. Eveland;  
 H. R. 12312. An act granting a pension to Susan Walker;  
 H. R. 5145. An act granting an increase of pension to Thomas Swan;  
 H. R. 13017. An act granting an increase of pension to James Austin;  
 H. R. 13321. An act granting an increase of pension to John S. Bonham;  
 H. R. 7922. An act granting an increase of pension to Richard G. Watkins;  
 H. R. 12130. An act granting a pension to Christopher S. Stephens;  
 H. R. 8698. An act granting an increase of pension to Nelson Churchill;  
 H. R. 884. An act granting an increase of pension to Ellen W. Rice;  
 H. R. 10899. An act granting an increase of pension to William Warner;  
 H. R. 11711. An act granting an increase of pension to Isaac Gibson;  
 H. R. 13597. An act granting an increase of pension to Edmund B. Appleton;  
 H. R. 6186. An act granting a pension to Carrie B. Farnham;  
 H. R. 11115. An act granting a pension to Angeline H. Taylor;  
 H. R. 13081. An act granting an increase of pension to Anthony J. Railey;  
 H. R. 11493. An act granting a pension to Mary A. Lipps;  
 H. R. 11865. An act granting an increase of pension to John A. Robertson;  
 H. R. 3770. An act granting a pension to James E. Dickey;

H. R. 3768. An act granting an increase of pension to John W. Campbell;  
 H. R. 9164. An act granting an increase of pension to John H. Crawford;  
 H. R. 9717. An act granting a pension to Isaac M. Pangle;  
 H. R. 8026. An act granting an increase of pension to Joseph D. McClure;  
 H. R. 945. An act granting an increase of pension William W. Richardson;  
 H. R. 6890. An act granting an increase of pension to Robert O. Scroggs;  
 H. R. 2615. An act granting an increase of pension to Charles E. Miller;  
 H. R. 8476. An act granting an increase of pension to Moses S. Curtis;  
 H. R. 5146. An act granting an increase of pension to Florian V. Sims;  
 H. R. 13683. An act granting an increase of pension to Ella B. S. Mannix;  
 H. R. 13063. An act granting an increase of pension to Julia B. Shurtleff;  
 H. R. 10794. An act granting a pension to Thomas H. Devitt;  
 H. R. 13178. An act granting a pension to William F. Bowden; and  
 H. R. 9463. An act granting an increase of pension to Edgar A. Stanley.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 12299. An act granting a pension to William C. Roberts;  
 H. R. 10178. An act granting an increase of pension to Daniel Thomas;  
 H. R. 3500. An act granting an increase of pension to Kate O. Phillips;  
 H. R. 12284. An act granting an increase of pension to George W. Shaw;  
 H. R. 12800. An act granting an increase of pension to Horatio N. Whitbeck;  
 H. R. 3323. An act granting a pension to Daniel L. Mallicoat;  
 H. R. 6871. An act granting an increase of pension to Harman Scramlin;  
 H. R. 12507. An act granting an increase of pension to Ebenezer W. Oakley;  
 H. R. 5315. An act granting an increase of pension to Orrin J. Wells;

H. R. 3641. An act for the allowance of certain claims for property taken for military purposes within the United States during the war with Spain, etc.; and

H. R. 14019. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 3057) appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 3653) for the protection of the President of the United States, and for other purposes, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOAR, Mr. FAIRBANKS, and Mr. PETTUS as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 14046) making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. PERKINS, and Mr. TILLMAN as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8840) granting an increase of pension to John H. Lauchly.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the bill (S. 3992) granting an increase of pension to David M. McKnight.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: Mr. FOX, for ten days, on account of important business.

Mr. RHEA of Virginia, for one week, on account of important business.

Mr. KLUTZ, for one week, on account of serious illness in his family.

## PRISON-SHIP MARTYRS AT FORT GREENE, BROOKLYN, N. Y.

Mr. McCLELLAN. Mr. Speaker, by authority from the Committee on the Library, I move that the rules be suspended and that the amendment to House joint resolution No. 6, in relation to a monument to prison-ship martyrs at Fort Greene, Brooklyn, N. Y., submitted by the committee, be agreed to, and that as amended the resolution be agreed to.

The SPEAKER. The gentleman from New York, by direction of the Committee on the Library, calls up House joint resolution No. 6, and moves that the rules be suspended and that the amendments be agreed to, and the resolution as thus amended be passed. The Clerk will report the resolution.

The Clerk read as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000 as a part contribution to the erection of said monument in Fort Greene Park, in the borough of Brooklyn, city and State of New York: *Provided,* however, That said sums shall not be payable until there has been raised, by private subscription and by public appropriations as aforesaid, sums aggregating an additional \$100,000: *And provided further,* That said moneys shall not be paid for the erection of a monument, plans for which shall not have been approved by the Secretary of War of the United States and the governor of the State of New York and mayor of the city of New York; and said moneys shall be expended under the joint supervision of the said Secretary and said governor and said mayor.

Mr. CLAYTON. Mr. Speaker, I demand a second.

Mr. McCLELLAN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from New York asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. McCLELLAN. Mr. Speaker, the purpose of this resolution is an appropriation of \$100,000 as a part contribution to the erection of a monument to the memory of the so-called prison-ship martyrs at Fort Greene Park, Brooklyn, N. Y. The State of New York has already appropriated \$25,000 and has authorized the city of New York to appropriate \$50,000, and there have been raised \$25,000 by private subscriptions; in all, \$100,000. The appropriation authorized in the resolution does not take effect until the other \$100,000 has been paid in.

During the Revolutionary war nearly 20,000 naval and military prisoners, confined in hulks anchored at Wallabout Bay, the present site of the United States navy-yard, Brooklyn, N. Y., died because of the cruelties they suffered at the hands of their British jailers. They were buried on the shore near the hulks. In 1808 they were given Christian burial by the Tammany Society or Columbian Order, and in 1873 they were moved to Fort Greene Park, where they now lie. Similar resolutions or bills have been reported to the House in the Forty-ninth, Fiftieth, Fifty-first, Fifty-second, Fifty-fourth, Fifty-fifth, and Fifty-sixth Congresses, and the Committee on the Library is unanimous in thinking that it is only right that the resolution should be agreed to.

The resolution was introduced by my colleague, the gentleman from New York [Mr. FITZGERALD], who has labored unceasingly for the success of this patriotic project, with which his name will always be most appropriately associated. I yield five minutes to my colleague [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, unless further explanation is needed I will not occupy the time of the House, but will ask for a vote.

The SPEAKER. The question is on agreeing to the motion of the gentleman from New York [Mr. McCLELLAN].

The question was taken; and two-thirds having voted in favor of the motion, the amendment was agreed to, and the resolution as amended passed.

## MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States was communicated to the House of Representatives by Mr. B. F. BARNES, one of his secretaries, who informed the House of Representatives that the President had approved and signed bills of the following titles:

On June 10, 1902:

H. R. 12085. An act providing for the completion of a light and fog signal station in the Patapsco River, Maryland.

On June 13, 1902:

H. R. 949. An act for the relief of Charles H. Robinson;

H. R. 7034. An act for the relief of Navajo County, Ariz.;

H. R. 8736. An act ratifying the act of the Territorial legislature of Arizona, approved March 2, 1901, providing a fund for the erection of additional buildings for the University of Arizona;

H. R. 12346. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. R. 7687. An act granting an increase of pension to Charles C. Washburn;

H. R. 9592. An act granting a pension to Emily Briggs;

H. R. 12796. An act providing for free homesteads in the Ute Indian Reservation in Colorado;

H. R. 11599. An act to redivide the district of Alaska into three recording and judicial divisions; and

H. R. 1992. An act granting the right of way to the Alafia, Manatee and Gulf Coast Railway Company through the United States light-house and military reservations on Gasparilla Island, in the State of Florida.

On June 14, 1902:

H. R. 12797. An act to ratify act numbered 65 of the twenty-first Arizona legislature;

H. R. 10819. An act for the relief of George T. Winston, president of North Carolina College of Agriculture and Mechanic Arts, and W. S. Primrose, chairman board trustees;

H. R. 8129. An act to amend sections 4076, 4078, and 4075, of the Revised Statutes; and

H. R. 14380. An act to authorize the construction of a bridge across Waccamaw River at Conway, in the State of South Carolina, by Conway and Seashore Railroad Company.

On June 1, 1902:

H. R. 11591. An act for the relief of Stanley & Patterson, and to authorize a pay director of the United States Navy to issue a duplicate pay check.

## ABRAHAM LINCOLN.

Mr. McCLEARY. By direction of the Committee on the Library, I move that the rules be suspended and that the bill (S. 5269) to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, late President of the United States, be passed.

The SPEAKER. The gentleman from Minnesota calls up the bill S. 5269, by direction of the Committee on the Library, which the Clerk will report.

The Clerk read as follows:

*Be it enacted, etc.,* That the chairman of the Committee on the Library of the Senate, the chairman of the Committee on the Library of the House of Representatives, the Secretary of State, and the Secretary of War be, and they are hereby, created a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, late President of the United States.

SEC. 2. That the sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this act.

SEC. 3. That the said commission shall report the result of their action to Congress as soon as practicable after a decision has been reached.

Mr. CANNON. Mr. Speaker, I ask for a second, but I am willing that one should be considered as ordered.

Mr. McCLEARY. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. McCLEARY. Mr. Speaker, it seems almost unnecessary to present any argument in favor of this Senate bill. It is thirty-seven years since the spirit of Abraham Lincoln took its flight, and in the capital city of the nation there is no worthy memorial of his great life. The bill provides for a commission, to consist of the chairman of the Committee on the Library of the Senate, the chairman of the Committee on the Library of the House, the Secretary of State, and Secretary of War, to secure plans and a design for such a monument. There is no authority to do further than to secure these designs and submit them to the Congress for its approval or disapproval.

Mr. CLAYTON. Mr. Speaker, I have not read the bill, but I would like to inquire of the gentleman where it is proposed to erect this monument?

Mr. McCLEARY. In the city of Washington.

Mr. RICHARDSON of Tennessee. Does it provide that it shall be erected on a Government reservation or have we to purchase some location?

Mr. McCLEARY. That is not provided in the bill.

Mr. RICHARDSON of Tennessee. So far as I am concerned, I can see no objection.

Mr. McCLEARY. I will say to the gentleman that in all probability this memorial will be erected on a Government reservation.

Mr. RICHARDSON of Tennessee. I did not catch the names of the commissioners who were to select the plans. Will the gentleman read them?

Mr. McCLEARY. The commission is to consist of the chairman of the Committee on the Library of the Senate, the chairman of the Committee on the Library of the House, the Secretary of State, and the Secretary of War, and the authority granted the commission is simply to secure plans and a design.

Mr. CLAYTON. How much does the bill carry?

Mr. McCLEARY. Twenty-five thousand dollars.

Mr. SLAYDEN. Suppose that the four members of this commission divide equally, how can a design be chosen?

Mr. McCLEARY. These commissions usually consist of four members.



Mr. GAINES of Tennessee. Mr. Speaker, I desire to ask the gentleman from Minnesota [Mr. McCLEARY] if it has been decided as to what inscription will be placed on this monument? If not, I suggest to gentlemen on the other side that Abraham Lincoln really believed in the Declaration of Independence, a fact which the gentlemen on the Republican side of this House have possibly forgotten.

Mr. CANNON. Mr. Speaker—

The SPEAKER. Does the gentleman from Minnesota yield to the gentleman from Illinois, or does the gentleman from Illinois take the floor in his own time?

Mr. CANNON. Either way; I do not care in whose time it is. I should be glad to ask the gentleman a question.

Mr. McCLEARY. I yield to the gentleman.

Mr. CANNON. Has the gentleman any matter in his mind as to where this monument or memorial is to be located?

Mr. McCLEARY. Nothing further than that it is to be located in the city of Washington.

Mr. CANNON. The reason I ask is that, in common with every other member of this House, I believe, I am in entire harmony with the erection of a memorial, in the city of Washington, to perpetuate the name and life of Abraham Lincoln, and I hope and believe that this memorial, when erected, will be a proper one. The sum of \$25,000 is appropriated merely for plans. I judge from that that it is to be a proper monument. That amount expended in architects' fees in the erection of a building would indicate a total expenditure of half a million dollars. Now, I am not going to talk about the expenditure. I am satisfied it will be what it should be, considering all the circumstances and the character of that man.

But I am a little desirous to ask my friend a question or two. We have had lately a lot of plans by a Commission known as the Parking Commission. The Senate of the United States begot upon itself a Commission, and has devoted from its contingent fund the sum of \$50,000 to enable this Commission to fructify, and over here in the Library of Congress, without any authority of law, a cuckoo's egg, occupying one great side of the library, are models which show the work of this self-begotten child. How long these models are to stay there I do not know. Shown upon that model are splendid avenues, memorial bridges, and a great many other things. And, if I am not mistaken, down near the old Naval Observatory is a place reserved for a memorial to Abraham Lincoln. Am I correct?

Mr. McCLEARY. I am not prepared to say that the gentleman is not correct, because that has nothing to do with this case.

Mr. CANNON. Well, yes and no. Let us see whether it has or not. I am not going, by my action, without at least a word of inquiry, to have the patriotic sentiment that abounds in 80,000,000 people used to put a monument where it ought not to be. Now, if I supposed that this memorial was to be built down near the old Naval Observatory and used to make an argument in favor of building a memorial bridge, and that the memorial was to stand there through all time, right upon the bank of that river and close to the flats, where the monument itself would take fever and ague, let alone a living man, I should object. If this \$25,000 is to be expended for plans, and the whole thing is to be worked out in connection with a site of that kind, then I should try to see if we could not apply some remedy. If, on the contrary, it is to work out plans that will fit a proper location, why then I am entirely content, and for that reason I have asked my friend these questions.

I notice that the Secretary of War, the Secretary of State, the chairmen of the Library Committees of the House and of the Senate make up the Commission. I am with my friend for a memorial. I am against anything—and I want to set this back fire now—I am against anything that will work out anybody's plans or anybody's schemes that will not place that memorial where all the people will and must see it when they come to Washington. Why, we used to have a statue erected as a memorial of Adjutant-General Rawlins down a little bit southwest of the War, State, and Navy building. It stood there, lonesome and silent, except as the occasional explorer—one in ten thousand—would inquire about it and hunt it up, until finally Congress directed that it be moved up to Eighth or Ninth street and Pennsylvania avenue, so it would not be lonesome.

Now, that is about all I wish to say about it. I wanted to say this much, without offending the feelings of anybody, and in view of this scheme, in view of the birth of this unnatural child, born not in lawful legislative wedlock, I wanted to say that much by way of protest against the action on the part of this Commission in failing to do its duty and giving us the location and its recommendation that ought to be had. [Applause.]

Mr. RICHARDSON of Tennessee. I would like to ask the gentleman from Illinois a question.

Mr. CANNON. Yes.

Mr. RICHARDSON of Tennessee. Is he in favor of this motion

to suspend the rules and pass the resolution? I could not tell after listening to his speech.

Mr. CANNON. Am I in favor of it? Yes.

Mr. RICHARDSON of Tennessee. All right.

Mr. CANNON. I shall vote for it; but I wanted to say this much, and I hope my good friend in charge of this bill, the Representative from Minnesota, will say what he has to say if he thinks anything I have said has anything of injustice in it touching this Commission, and if he does not, then I shall vote for this bill; and, if I am spared when its report is made, I shall be at perfect freedom to contest the confirmation of that location, if, in my judgment, the contest ought to be made. But I take time by the forelock. Now, the question of the location of a monument means much to the monument itself. What would suit a monument in low ground would not suit a monument in high ground. What would suit it in a populous place, where the men, women, and children would see it almost daily, or where all the citizens would see it in a great city, would mean one thing; if one was hid away where one in ten thousand in a great city would not see the monument, that would be another thing. While I do not desire to be hypercritical, it seems to me apt that I should indulge in this much language about it.

Mr. McCLEARY. Mr. Speaker, the gentleman from Illinois will appreciate the fact, of course, that even if this bill passes and "the gentleman from Minnesota" becomes one of the members of this commission, I would have no authority at this time to speak in such a way as to bind that commission. I can simply say this, in reply to the inquiries of my friend from Illinois, that this bill was introduced in the Senate by Senator CULLOM, and my understanding is that his purpose in introducing it was simply to get a proper memorial here to him whom all the people, North and South, of all parties, want to see thus honored. Now, if that commission makes a report that is not satisfactory to the House, the House has full recourse. At this time I can say only that this bill provides for a commission. I can not tell what the action of that commission will be.

Mr. RICHARDSON of Tennessee. Will the gentleman yield to me for a minute?

Mr. McCLEARY. Certainly.

Mr. RICHARDSON of Tennessee. So far as I am concerned, Mr. Speaker, I believe that this resolution or some such resolution should pass; but I do submit that the form of the resolution is wrong. I do not believe that there is a gentleman on this side of the House who does not believe that the Government of the United States should erect a proper memorial to the memory of Abraham Lincoln; but I do not believe that the resolution should have been so framed as to provide a commission composed of four members of the majority party and no member of the minority party in this House or in the United States.

The memory of Abraham Lincoln belongs exclusively to no party. If it were possible for either party to claim that it specially honored him for his love of our country and its peculiar institutions, then at this period in our history that claim might be set up by this side of the House. But there is no politics in this measure, and there should be no politics. The commission should have been fairly divided between the two sides and the different parties. I trust there will be no objection, however, to the passage of the resolution. [Loud applause.]

Mr. McCLEARY. In answer to the gentleman from Tennessee, and I appreciate the spirit in which the suggestion of the gentleman has been made, I would say that this commission is framed without any thought of politics. This is the first time that politics ever came into my mind in connection with it. It provides that the commission shall consist of the chairmen of the committees having this subject in charge, and the Secretary of War, who has general custody of the public grounds, and the Secretary of State to fill out the commission. There was absolutely no thought of politics in it. There is no one who believes for a moment that there is anybody on either side of the House who does not approve of the general proposition, and so far were we from all thought of politics that it never occurred to us that anybody would raise the question.

Mr. WILLIAMS of Mississippi. Yet it is true they will all be Republicans.

Mr. McCLEARY. It is true, but it is simply because of their official stations. Mr. Speaker, in view of the suggestion of the gentleman from Tennessee, I ask unanimous consent that the bill be amended, and that he himself—the gentleman from Tennessee [Mr. RICHARDSON]—be added to this commission. [Loud general applause.]

Mr. RICHARDSON of Tennessee. Mr. Speaker, I have a right to be heard on this matter.

The SPEAKER. The gentleman will suspend until the Chair puts the request. The gentleman from Minnesota asks unanimous consent that he be permitted to amend the bill so as to include the gentleman from Tennessee. Is there objection?

Mr. RICHARDSON of Tennessee. Now, Mr. Speaker, I appreciate fully the motive which prompts the gentleman from Minnesota to make this request, prompted, as I believe he was, by the able gentleman from Illinois. I think in the main his request is a proper one, but I do not think he ought to have applied it to myself in view of what I have said on the floor. While I appreciate the distinguished honor which the gentleman wishes to confer upon me and the spirit in which his suggestion has been received by the House, I must decline and ask the gentleman to substitute the head of the minority of his committee, who is a member on this side of the House, as a member of that commission. I think that is fair and right.

Mr. McCLEARY. Mr. Speaker, in offering the suggestion I did I tried to carry out the spirit of my friend's remarks a moment ago, and he was selected because he is the leader of the Democratic side and, therefore, by reason of his official position, it was entirely proper. [Applause.] I trust that the gentleman's modesty may not be permitted to debar us from having his distinguished services upon that commission. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none, and it is so ordered. The question is on agreeing to the resolution as amended.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the resolution as amended was agreed to.

#### SURVIVORS OF CERTAIN INDIAN WARS.

Mr. LOUDENSLAGER. Mr. Speaker, I move to suspend the rules and take up the bill (S. 640) to extend the provisions, limitations, and benefits of an act entitled "An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war," approved July 27, 1892, agree to the amendment recommended by the committee, and pass the bill.

The SPEAKER. The gentleman from New Jersey moves to suspend the rules, take up Senate bill 640, and that as amended it do pass.

The Clerk read the bill as amended, as follows:

*Be it enacted, etc., That the provisions, limitations, and benefits of the act entitled "An act granting pensions to survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war," approved July 27, 1892, be, and the same are hereby, extended, from the date of the passage of this act, to the surviving officers and enlisted men, including marines, militia, and volunteers of the military and naval service of the United States who served for thirty days or more and were honorably discharged under the United States military, State, Territorial, or provisional authorities in the Florida and Georgia Seminole Indian war of 1817 and 1818; the Fevre River Indian war of Illinois of 1827; the Sac and Fox Indian war of 1831; the Sabine Indian disturbances of 1836 and 1837; the Cayuse Indian war of 1847 and 1848, on the Pacific coast; the Florida wars with the Seminole Indians from 1842 to 1858, inclusive; the Texas and New Mexico Indian war of 1849 to 1856; the California Indian disturbances of 1851 and 1852; the Utah Indian disturbances of 1850 to 1858, inclusive; and the Oregon and Washington Territory Indian wars from 1851 to 1856, inclusive; and also to include the surviving widows of such officers and enlisted men: *Provided*, That such widows have not remarried: *And provided further*, That where there is no record of enlistment or muster into the service of the United States in any of the wars mentioned in this act the record of pay by the United States shall be accepted as full and satisfactory proof of such enlistment and service: *And provided further*, That all contracts heretofore made between the beneficiaries under this act and pension attorneys and claim agents are hereby declared null and void.*

Mr. WADSWORTH. Mr. Speaker, I would like to hear some explanation in regard to this bill, and therefore I demand a second.

Mr. LOUDENSLAGER. I ask, Mr. Speaker, that a second may be considered as ordered.

There was no objection.

Mr. LOUDENSLAGER. Mr. Speaker, this bill simply extends the benefits of the act of July 27, 1892, to the wars named in the act which follows the precedents of all the service-pension acts from the formation of this Government, including no wars where not less than forty years has passed since they closed.

This proposed legislation, if enacted into law, would follow the line of every precedent established since the war of the Revolution. That war covered a period from 1775 to April 11, 1783. The act which gave them a service pension, or rather a dependent service pension, was passed in 1818, and in 1832, forty-nine years after the close of the war, the first service-pension act was passed by this Government relating to the service of the Revolutionary war. The survivors of the wars of 1812 and the Indian wars and the Mexican war were all given service pensions by acts passed forty years after the close of these wars.

There are two or three wars mentioned in this measure which were considered to be pensioned by Congress when they passed the act of 1892, but they were excluded by virtue of the dates not covering that period.

Mr. WADSWORTH. Can the gentleman give any idea of the cost of this measure?

Mr. LOUDENSLAGER. The number of beneficiaries under

the act as reported by the Commissioner of Pensions about two and one-half years ago was something like 7,600, and the term of expectancy was about seven and one-half years, and the total amount of the first payment was \$730,000, or a total payment of about \$5,000,000 for the whole period. That, by recent communication from the Pension Department, has been reduced to a total number now estimated of about 6,400, and the first payment on the bill would be about \$100,000 less than the amount I have given. So that the total amount will be about a million dollars or a million and a half less than the amount estimated two and a half years ago.

Mr. CLAYTON. May I ask the gentleman a question?

Mr. LOUDENSLAGER. Certainly.

Mr. CLAYTON. I want to know if this bill comes from the gentleman's committee with a unanimous report?

Mr. LOUDENSLAGER. It does.

Mr. LESSLER. Did I understand the gentleman to say that the number of beneficiaries amounted to 67,000?

Mr. LOUDENSLAGER. I said 6,700.

Mr. LESSLER. These beneficiaries must be over 80 years old.

Mr. LOUDENSLAGER. I do not know. I know we have a number of pensioners of the war of 1812 and, I think, of the Revolutionary war.

Mr. SNODGRASS. Mr. Speaker, will the gentleman allow me an interruption?

Mr. LOUDENSLAGER. Certainly.

Mr. SNODGRASS. We have been furnished with measures for the increase of pensions of Federal soldiers and other wars occurring prior to that of 1860. Why is it that some provision has not been made for the Mexican soldiers? I know there are several bills pending before that committee, and I want to ask the gentleman if we can not expect within a few days, or at least before Congress adjourns, that the gentleman from that committee will report one of those bills to remove at least the restriction against the Mexican soldiers drawing \$15 a month, which is the maximum service dependent pension now granted them by law.

I know several efforts have been made by various members of this House to secure a removal of some of those restrictions against the Mexican soldiers getting that maximum sum of \$15 a month. I am satisfied if such a bill was reported it would be passed by this House almost unanimously. I want to ask the gentleman if his committee will not report one of those bills before this session closes?

Mr. LOUDENSLAGER. Of course, Mr. Speaker, I can not make any promises as to what that committee will do. According to the statements made, there are only a few of those people remaining whom the gentleman seeks to benefit. But I can say to him that a large amount of time of that committee has been consumed in this and the previous sessions in considering cases on the line that he has suggested. Most all of our time is taken up in the consideration of claims that come from that section of the country. And so pressed are we with those private matters urged by members that we hardly have time to consider other measures. I believe, however, that the committee will in the very near future take up the matter referred to and give it consideration.

Mr. SNODGRASS. May we not expect it during the life of this session?

Mr. LOUDENSLAGER. That I can not say, for I have not consulted with the committee in regard to it, and I do not desire to anticipate their action. I can say very frankly that we have arrived at that period of the session when it is very difficult to get the attendance of a quorum of the committee. By unanimous consent of the House I desire to publish the following résumé of service-pension legislation:

Mr. BELLAMY. Has the gentleman or the committee any estimate of the number of troops that were engaged in the various Indian wars?

Mr. LOUDENSLAGER. Mentioned in this bill?

Mr. BELLAMY. Yes, sir; and if so, what is the estimate of the annual appropriation that will be necessary to meet the pensions for those wars?

Mr. LOUDENSLAGER. I have made that statement once to the House.

Several MEMBERS. We did not hear it.

Mr. LOUDENSLAGER. It is in the report.

Mr. CLAYTON. It is very fully given there.

Mr. LOUDENSLAGER. I ask a vote on my motion.

The question being taken on the motion of Mr. LOUDENSLAGER to suspend the rules and pass the bill, with the amendments of the committee, the motion was agreed to, two-thirds voting in favor thereof.

Mr. LOUDENSLAGER. I ask unanimous consent that a statement, which I send to the desk, bearing upon the bill just passed, may be published in the RECORD.

The SPEAKER. Is there objection?

There was no objection.



The statement is as follows:

Memoranda to accompany S. 640, extending the benefits of the Indian war service pension act of July 27, 1892.

The proposed legislation, if enacted into law, would simply follow a line of precedents begun after the war of the Revolution. That war covered the period from April 19, 1775, to April 11, 1783, and thirty-five years later, viz, March 18, 1818, what was practically a service-pension act, but with dependent features, was passed as follows:

"That every commissioned officer, noncommissioned officer, musician, and private soldier, and all officers in the hospital department, and medical staff, who served in the war of the Revolution until the end thereof, or for the term of nine months or longer at any period of the war, on the Continental establishment, and every commissioned officer, noncommissioned officer, mariner, or marine, who served at the same time, and for a like term in the naval service of the United States, who is yet a citizen of the United States, and who is or hereafter, by reason of his reduced circumstances in life, shall be in need of assistance from his country for support, and shall have substantiated his claim to a pension, shall receive a pension from the United States; if an officer, of \$20 per month during life; if a noncommissioned officer, musician, mariner, marine, or private soldier, of \$8 per month during life."

Fourteen years later, viz, June 7, 1832, the same being forty-nine years after the war of the Revolution closed, a purely service-pension act was passed granting pensions to all those who had not been provided for by the foregoing dependent service-pension act, as follows:

"Each of the surviving officers, noncommissioned officers, musicians, soldiers, and Indian spies who shall have served in the Continental Line or State troops, volunteers, or militia at one or more terms a period of two years during the war of the Revolution is authorized to receive the amount of his full pay in said line according to his rank, but not exceeding in any case the pay of a captain in the said line, such pay to commence on the 4th day of March, 1831, and shall continue during his natural life; and any such officer, noncommissioned officer, musician, or private, as aforesaid, who shall have served in the Continental Line, State troops, volunteers, or militia a term or terms in the whole less than the above period, but not less than six months, shall be authorized to receive during his natural life, each according to his term of service, an amount bearing such proportion to the annuity granted to the same rank for the service of two years as his term of service did to the term aforesaid, to commence from the 4th day of March, 1831.

"The officers, noncommissioned officers, mariners, or marines, who served for a like term during the Revolutionary war shall be entitled to the benefits of this act in the same manner as is provided for the officers and soldiers of the army of the Revolution."

By subsequent enactment the benefits of the act of June 7, 1832, were extended to invalid pensioners of the war of the Revolution as an additional allowance to that received for disabilities incurred in the service.

By enactments of 1836 and 1837 the benefits of the foregoing service-pension act of 1832 were extended to the widows of officers and men of the war of the Revolution if they were the wives of such officers and men during the period of their service, and by still later enactments the limitation as to date of marriage was extended, and finally, by act of July 23, 1848, removed entirely.

#### WAR OF 1812.

The next service-pension act to be passed by Congress related to the war of 1812. The period of that war was from June 18, 1812, to February 17, 1815, and fifty-six years later, viz, February 14, 1871, an act was passed (see sec. 4736, Rev. Stat.) providing that all officers and enlisted men who served sixty days in the Army or Navy of the United States in said war should receive a pension of \$8 per month, if not otherwise pensioned at a similar or higher rate, and the provisions of this act were also extended to the widows of those who had died. Subsequently, by an act of March 9, 1878, the period of service necessary to give title was cut down to fourteen days.

#### MEXICAN WAR.

The Mexican war began April 24, 1846, and ended May 30, 1848, and in a little less than thirty-nine years thereafter the act of January 29, 1887, was passed, granting pensions for sixty days' service in said war. The rating fixed in that act was \$8 per month for survivors and widows alike, but subsequently, under an act approved January 5, 1893, the rating was increased to \$12 dollars per month for those survivors who were in destitute circumstances and unable to earn a support by manual labor.

#### WAR OF THE REBELLION.

This war covered the period from April 15, 1861, to May 9, 1865, and twenty-five years later, viz, June 27, 1890, an act was passed similar in its provisions to the Revolutionary dependent service-pension act of March 18, 1818, above referred to. The act of June 27, 1890, provided that honorable service for ninety days or more in the war of the rebellion should entitle a survivor to a pension, if disabled from causes not due to vicious habits, the pension to be rated from a minimum of six to a maximum of twelve dollars per month, according to the degree of disability, and widows were granted \$8 per month, if in dependent circumstances and married the deceased soldier or sailor prior to the passage of the act.

#### INDIAN WARS FROM 1832 TO 1842, INCLUSIVE.

By an act of July 27, 1892, thirty days of honorable service in the Black Hawk war, the Creek war, the Cherokee disturbances, and the Florida war with the Seminole Indians, embracing the period from 1832 to 1842, inclusive, entitled a survivor to a pension of \$8 per month and the same rate to the widows of those who had died, and the proposition contained in this bill is to extend the benefits of this act to all recognized Indian wars in which the United States was engaged prior to the civil war; and as the last of these wars occurred in 1856, the period of time since they closed is now about forty-six years.

#### STATE, TERRITORIAL, AND PROVISIONAL TROOPS.

In respect of the classes of soldiers to be benefited there is a departure in this bill from the usual provisions contained in recent service-pension laws in that, in addition to those beneficiaries who served for thirty days or more in the service of the United States, those who served under State, Territorial, or provisional authorities are provided for. This feature of the act is safeguarded, however, by the proviso that where there is no record of enlistment or muster into service of the United States in any of the wars mentioned in the act, the recognition of the service by the United States by the payment by the National Government for the service rendered shall be accepted.

This provision is made because many of the veterans benefited by the bill, particularly those of Washington and Oregon, were emergency men, and were called into the service as the exigency arose, there frequently not being time, with the slow and meager methods of communication of those times, for a United States mustering officer to reach the locality where hostilities were under way, and the conditions were entirely different from any now likely to arise in any part of the country. It is argued, and with good reason, that the recognition of the services of these veterans by the Government in paying for their services is a sufficient recognition of the fact that they were in the service of the United States, and, as stated above, the act provides a

safeguard against the possibility of granting pensions to purely State militiamen, whose services are not a matter of governmental record and were not recognized by the Government with pay.

Mr. LOUDENSLAGER. I ask unanimous consent that all members desiring the privilege may have permission to print remarks in the RECORD on the bill just passed.

A MEMBER. For how many days?

Mr. LOUDENSLAGER. For five days.

The SPEAKER. Is there objection?

Objection was made.

#### MONUMENT TO GEN. HUGH MERCER.

Mr. WOOTEN. I move to suspend the rules and pass, with the amendment reported by the Committee on the Library, the bill (H. R. 10933) to provide for the erection, at Fredericksburg, Va., of the monument to the memory of Gen. Hugh Mercer, which it was ordered by Congress on the 8th day of April, 1777, should be erected.

The bill as amended by the Committee on the Library was read, as follows:

Whereas the Congress of the United States, on the 8th day of April, 1777, agreed to the erection of a monument to the memory of Gen. Hugh Mercer, at Fredericksburg, in the State of Virginia, and prescribed an inscription to be placed thereon; and

Whereas up to this time nothing has been done toward carrying into effect the action then taken: Therefore,

Be it enacted, etc., That the sum of \$25,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the erection, at Fredericksburg, in the State of Virginia, of a monument to the memory of Gen. Hugh Mercer, upon which shall be inscribed these words: "Sacred to the memory of Hugh Mercer, brigadier-general in the Army of the United States. He died on the 12th of January, 1777, of the wounds he received on the 2d of the same month, near Princeton, in New Jersey, bravely defending the liberties of America. The Congress of the United States, in testimony of his virtue and their gratitude, have caused this monument to be erected;" which said sum shall be expended under the direction of the Secretary of War, or such officer as he may designate, and in such sums as the work may require from time to time: *Provided*, That the city of Fredericksburg, or the citizens thereof, shall cede and convey to the United States such suitable site as may, in the judgment of the Secretary of War, be required for said monument.

The question being taken on the motion of Mr. WOOTEN, it was agreed to (two-thirds voting in favor thereof); and the bill, with the amendment reported by the Committee on the Library, was passed.

#### TRANSPORTATION OF GOVERNMENT SUPPLIES TO THE PHILIPPINES.

Mr. STEVENS of Minnesota. Mr. Speaker, I move to suspend the rules and pass, with the amendment reported by the Committee on Military Affairs, the bill (H. R. 14441) to authorize the Secretary of War, in his discretion, to favor American-built ships in the transportation of Government supplies to the Philippines across the Pacific Ocean.

The bill as amended was read, as follows:

Be it enacted, etc., That the Secretary of War is authorized, in his discretion, to accept the lowest and most suitable bid offered, after inviting competition as required by law, for transporting Government supplies, when necessary, across the Pacific Ocean to and from the Philippines in American-built ships when ships owned by the Government are not available: *Provided*, That such bid does not exceed by 10 per cent the lowest bid offered for transporting such supplies in foreign-built ships.

Mr. CLAYTON. I demand a second.

Mr. STEVENS of Minnesota. I ask unanimous consent that a second be considered as ordered.

Several members objected.

The CHAIRMAN. The gentleman from Alabama [Mr. CLAYTON] and the gentleman from Minnesota [Mr. STEVENS] will take their place as tellers.

The House divided; and the tellers reported—ayes 77, noes none.

Mr. RICHARDSON of Tennessee. I make the point of order that there is no quorum present.

The SPEAKER (having counted the House). There are 129 members present—not a quorum.

Mr. UNDERWOOD. I move that the House adjourn.

The question being taken, there were on a division (called for by Mr. UNDERWOOD)—ayes 41, noes 81.

Mr. UNDERWOOD. I call for the yeas and nays on the motion to adjourn.

The yeas and nays were not ordered, only 19 voting in favor thereof.

So the motion to adjourn was rejected.

The SPEAKER. There being no quorum present, the Door-keeper will close the doors and the Sergeant-at-Arms will bring in absent members to answer to their names. The question is on seconding the motion to suspend the rules and pass the bill.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I make the point of order that the rule requires that the seconding of a motion to suspend the rules must be by tellers. There is no provision in the rule for calling yeas and nays on seconding a motion to suspend the rules. On the contrary, the rule expressly provides that the vote shall be taken by tellers.

Now, it seems to me the Chair can only count by tellers to

ascertain whether the House will second the motion to suspend the rules. I do not know where the authority comes from to call the yeas and nays on such a question.

The SPEAKER. Tellers were duly ordered in this case. The Chair admits that the question raised by the gentleman from Tennessee is not without difficulty. But a rule of the House requires that when a quorum fails to appear the doors shall be closed and members brought in. On another occasion the Chair held that that rule would apply in a case of this kind. Therefore the Chair overrules the point of order.

The question was taken; and there were—yeas 106, nays 66, answered "present" 12, not voting 167; as follows:

## YEAS—106.

Alexander,	Dayton,	Kahn,	Powers, Me.
Allen, Me.	Deemer,	Ketcham,	Ray, N. Y.
Barney,	Dick,	Knapp,	Reeder,
Bartholdt,	Dovener,	Kyle,	Reeves,
Bishop,	Draper,	Lacey,	Roberts,
Boutell,	Driscoll,	Lawrence,	Rumple,
Bowersock,	Eddy,	Lessler,	Sherman,
Brick,	Emerson,	Lewis, Pa.	Showalter,
Bristow,	Evans,	Long,	Sibley,
Bromwell,	Fletcher,	Loud,	Smith, Ill.
Brown,	Foerderer,	Loudenslager,	Southard,
Burk, Pa.	Gibson,	McCleary,	Sperry,
Burke, S. Dak.	Gillet, N. Y.	McLachlan,	Steele,
Burkett,	Graft,	Martin,	Stevens, Minn.
Burton,	Grosvenor,	Mercer,	Stewart, N. J.
Calderhead,	Grow,	Metcalf,	Stewart, N. Y.
Cannon,	Hamilton,	Minor,	Sutherland,
Capron,	Haugen,	Moody, Oreg.	Tawney,
Cassel,	Hedge,	Morris,	Thomas, Iowa
Conner,	Henry, Conn.	Needham,	Tongue,
Cousins,	Hill,	Norton,	Van Voorhis,
Cramer,	Hitt,	Olmsted,	Vreeland,
Crumpacker,	Hopkins,	Overstreet,	Warnock,
Currier,	Hull,	Palmer,	Watson,
Cushman,	Irwin,	Patterson, Pa.	Woods,
Dalzell,	Jones, Wash.	Payne,	
Darragh,	Joy,	Perkins,	

## NAYS—66.

Ball, Tex.	Green, Pa.	Miers, Ind.	Slayden,
Bartlett,	Griffith,	Moon,	Small,
Bell,	Griggs,	Neville,	Snodgrass,
Bellamy,	Hay,	Randell, Tex.	Snook,
Brantley,	Hooker,	Randell, La.	Spight,
Breazeale,	Howard,	Richardson, Ala.	Stark,
Brundidge,	Jackson, Kans.	Richardson, Tenn.	Stephens, Tex.
Burnett,	Kitchin, Claude	Rixey,	Thomas, N. C.
Candler,	Kitchin, Wm. W.	Robb,	Thompson,
Cassingham,	Kieberg,	Robinson, Ind.	Underwood,
Clayton,	Lanham,	Rucker,	Vandiver,
Cochran,	Little,	Ruppert,	Wiley,
Cowherd,	McCulloch,	Ryan,	Williams, Miss.
De Armond,	McRae,	Shackelford,	Wooten,
Edwards,	Maddox,	Shafroth,	Zenor.
Fleming,	Meyer, La.	Shallenberger,	
Gaines, Tenn.	Mickey,	Sims,	

## ANSWERED "PRESENT"—12.

Benton,	Foss,	Landis,	Padgett,
Bowie,	Gillett, Mass.	McClellan,	Pierce,
Fitzgerald,	Johnson,	Mann,	Tate.

## NOT VOTING—167.

Acheson,	Douglas,	Knox,	Robertson, La.
Adams,	Elliott,	Lamb,	Robinson, Nebr.
Adamson,	Esch,	Lassiter,	Russell,
Allen, Ky.	Feely,	Latimer,	Scarborough,
Applin,	Finley,	Lester,	Schirm,
Babcock,	Flood,	Lever,	Scott,
Ball, Del.	Fordney,	Lewis, Ga.	Selby,
Bankhead,	Foster, Ill.	Lindsay,	Shattuc,
Bates,	Foster, Vt.	Littauer,	Shelden,
Beidler,	Fowler,	Littlefield,	Sheppard,
Belmont,	Fox,	Livingston,	Skiles,
Bingham,	Gaines, W. Va.	Lloyd,	Smith, Iowa
Blackburn,	Gardner, Mich.	Loving,	Smith, Ky.
Blakeney,	Gardner, N. J.	McAndrews,	Smith, H. C.
Boreing,	Gilbert,	McCall,	Smith, S. W.
Broussard,	Gill,	McDermott,	Smith, Wm. Alden
Brownlow,	Glenn,	McLain,	Southwick,
Bull,	Goldfogle,	Mahon,	Sparkman,
Burgess,	Gooch,	Mahoney,	Storm,
Burleigh,	Gordon,	Marshall,	Sulloway,
Burleson,	Graham,	Maynard,	Sulzer,
Butler, Mo.	Greene, Mass.	Miller,	Swanson,
Butler, Pa.	Hall,	Mondell,	Talbert,
Caldwell,	Hanbury,	Moody, N. C.	Taylor, Ohio
Clark,	Haskins,	Morgan,	Taylor, Ala.
Connell,	Heatwole,	Morrell,	Thayer,
Conry,	Hemenway,	Moss,	Tirrell,
Coombs,	Henry, Miss.	Mudd,	Tompkins, N. Y.
Cooney,	Henry, Tex.	Mutchler,	Tompkins, Ohio
Cooper, Tex.	Hepburn,	Naphen,	Trimble,
Cooper, Wis.	Hildebrandt,	Nevin,	Wachter,
Corliss,	Holliday,	Newlands,	Wadsworth,
Creamer,	Howell,	Otjen,	Wanger,
Crowley,	Hughes,	Parker,	Warner,
Curtis,	Jack,	Patterson, Tenn.	Weeks,
Dahle,	Jackson, Md.	Pearre,	Wheeler,
Davey, La.	Jenkins,	Pou,	White,
Davidson,	Jett,	Powers, Mass.	Williams, Ill.
Davis, Fla.	Jones, Va.	Prince,	Wilson,
De Graffenreid,	Keche,	Pugsley,	Wright,
Dinsmore,	Kern,	Reid,	Young,
Dougherty,	Klutz,	Rhea, Va.	

So a second was ordered.

The Clerk announced the following additional pairs:

For the day:

Mr. JENKINS with Mr. DE GRAFFENREID.

Mr. OTJEN with Mr. HENRY of Mississippi.

Mr. HEMENWAY with Mr. WHITE.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the present adoption of the following resolution, which I will send to the Clerk's desk and ask to have read.

The SPEAKER. If there is no objection, the Clerk will report the resolution.

Mr. RICHARDSON of Tennessee. Reserving the right to object, Mr. Speaker, I have no objection to the resolution being read.

The Clerk read as follows:

Resolved, That at 5 o'clock p. m. Tuesday, June 17, and Wednesday, June 18, the House take a recess until 8 o'clock p. m. and then remain in session not later than 10:30 o'clock p. m., at which sessions it shall be in order to consider bills reported from the Committee on Indian Affairs, and no other business shall be in order during such sessions.

Mr. WILLIAMS of Mississippi. Mr. Speaker, that will conflict with other business. Any request for a night session to consider nothing but Indian bills would conflict with another matter. I understand there will be a night session for debate on the Philippine bill.

Mr. SHERMAN. This does not interfere with that. This is before that takes effect.

Mr. WILLIAMS of Mississippi. I have no objection.

Mr. CLAYTON. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Alabama demands the regular order. A second having been ordered, the Chair recognizes the gentleman from Minnesota [Mr. STEVENS].

Mr. STEVENS of Minnesota. Mr. Speaker, this bill hardly merits the importance given to it by the gentleman on the other side of the House. It provides, in substance, that the supplies of the War Department may be, in the discretion of the Secretary of War, transported from the United States to the Philippine Islands in vessels built in this country, after the Government shall have exhausted its supply of available ships belonging to it. The bill provides that the Government shall first use all of its available transport service for carrying supplies of the War Department to the Philippines; that after that the Secretary, in his discretion, may use vessels built in this country, providing the rates for such service shall not exceed 10 per cent above the amount that is charged by foreign vessels for similar service.

Under the provisions of the statute passed by this Congress in March of this year, the navigation laws of this country will be extended to the Philippines on the 1st day of July, 1904. After that date all navigation between the United States and the Philippines must be in American vessels, so that at the most this bill would be available but two years. There is always a certain amount of Government supplies that must be transported in private vessels. Much of the supplies—in fact, the great bulk of the supplies—is carried in Government transports, but for reasons of safety the War Department has found it necessary to carry supplies, like munitions of war, hay, forage, and supplies of that sort, in private vessels, on account of danger to life that there would be if they were carried in troop transports, so that there is always a small amount of tonnage necessary to carry these supplies to the Philippines.

The statement before the Committee on Military Affairs was to the effect that next year the War Department estimated that about 70,000 tons will be carried in private vessels. Heretofore quite a large amount has been carried in private vessels. After this most of the supplies will be carried in Government vessels. There are 14 transports now available, and probably 70 per cent of the great bulk of supplies will be carried in these transports; but this small amount, probably about 70,000 tons, must be carried in private vessels. The Quartermaster-General reports that at present freight rates are available on the Pacific at \$4.50 a ton, from Puget Sound to the Philippines. If this 10 per cent additional be necessary, which may not be necessary to use as a discrimination in favor of American vessels in case there be competition of American ships, there would then be a maximum of about 50 cents per ton discrimination on about 70,000 tons a year for two years.

Mr. RICHARDSON of Tennessee. Mr. Speaker, will the gentleman permit a question?

The SPEAKER. Does the gentleman yield?

Mr. STEVENS of Minnesota. Yes.

Mr. RICHARDSON of Tennessee. Is it not true that the Quartermaster-General declined to recommend the passage of this bill?

Mr. STEVENS of Minnesota. He did not make any recommendation one way or the other.

Mr. RICHARDSON of Tennessee. Did he not in writing decline to recommend it?

Mr. STEVENS of Minnesota. The Quartermaster-General in his report stated specifically that he declined to make any recommendation because it was a matter of public policy not in his



province, but the Secretary of War strongly recommended the passage of the bill.

Mr. CLAYTON. May I ask the gentleman a question?

Mr. STEVENS of Minnesota. Certainly.

Mr. CLAYTON. Is the passage of this bill necessary in order to increase the efficiency of the public service?

Mr. STEVENS of Minnesota. Yes; I think it is. I was just coming to that.

Mr. CLAYTON. Will you explain how it is that a proposition simply to give American ships 10 per cent more for doing the same service than foreign-built ships would receive can increase the efficiency of the public service?

Mr. STEVENS of Minnesota. I shall be very glad to explain that if the gentleman will give me my own time. The reasons why this bill will increase the facilities, it seems to me, are as follows: Within the last year there have been quite a number of ships constructed in this country that are available for service between the Pacific coast and the Philippines. At the present time there is no regular line of communication by private vessels between the Pacific coast and the Philippines. There are two or three lines which have informed the committee that with this slight encouragement they would start direct lines of communication between the United States and the Philippines, preparing for the extension of our navigation laws two years hence. After that time there will certainly be these direct lines.

Mr. CLAYTON. May I ask the gentleman—

Mr. STEVENS of Minnesota. Just one moment more. In the meantime, during these two years, these gentlemen are willing to take their chances and send their ships directly from the United States to the Philippines, providing they have some encouragement like this. There will be a probable loss, but it will give direct service for passengers and mails and freight, and direct service is always an advantage to the Government as well as to private interests.

Mr. CLAYTON. May I ask the gentleman a question now?

Mr. STEVENS of Minnesota. Certainly.

Mr. CLAYTON. Is not this, then, after all your explanation, simply a homeopathic dose of the ship subsidy?

Mr. STEVENS of Minnesota. Now, I will answer that. As the gentleman knows, I am not in favor of the bill before the Committee on Merchant Marine and Fisheries, but I am in favor of this bill because we know it certainly will accomplish something, and it directly causes the establishment of from one to three lines of communication between the United States and the Philippines right away, and gives this Government an opportunity to send its freights, passengers, and mails more quickly and more cheaply than would otherwise be the case. It may or may not cost the Government anything, because the competition of the several lines will furnish a supply of steam and sailing vessels adequate to supply all the necessities of the Government.

Mr. CLAYTON. May I ask the gentleman another question?

Mr. SLAYDEN. Mr. Speaker—

The SPEAKER. Does the gentleman yield to the gentleman from Texas [Mr. SLAYDEN] who addressed the Chair?

Mr. STEVENS of Minnesota. I would like to yield to my colleague on the committee, the gentleman from Texas.

Mr. SLAYDEN. I would like to ask my friend if this is not directly in the interest of one steamship line, the boats of which are now being built?

Mr. STEVENS of Minnesota. I would say that I do not think it is. There are at least three lines which have informed us that they can have ships available for this service; and I will state that much of the freight that would be sent under the provisions of this act would be sent by sailing vessels. I refer to such freight as forage and lumber and heavy material of that kind, which would not use steamship lines at all.

Mr. SLAYDEN. Were you not told that it was for the benefit of certain American lines to operate between Seattle and the Philippines and the Orient?

Mr. STEVENS of Minnesota. The committee was informed—

Mr. SLAYDEN. Now, if that is true, does the gentleman believe that these people are going to abandon the project of running a line of steamers across the Pacific if this bill should fail to pass?

Mr. STEVENS of Minnesota. I will answer the gentleman frankly. There were two large steamships built in Baltimore recently. One has already been completed and the other is not yet launched, as I understand. These ships were designed as tramp steamers. A concern known as the Boston Steamship Company conceived the idea of an Asiatic line from Puget Sound, and either hired or purchased or acquired these vessels, and propose to start a line. Whether or not it will be extended to the Philippines depends on whether or not it will be profitable.

Part of the consideration for the starting of these lines will depend on whether they can get any considerable amount of Government business. Now, it seemed to the Committee on Military

Affairs and to the Committee on the Merchant Marine that it would be a benefit to this country, that it would be a benefit to the Government service, to have that line from Puget Sound, to have another line from San Francisco, and to have another line from New York directly to the Philippines; and they all three will probably be started with encouragement like this.

Mr. CLAYTON. Now, Mr. Speaker, may I ask the gentleman a question?

The SPEAKER. Does the gentleman yield to the gentleman from Alabama?

Mr. STEVENS of Minnesota. Certainly.

Mr. CLAYTON. Then, I understand from all of your statements that foreign-built ships can now be had to carry this hay and lumber that you speak of—notwithstanding the enterprise of of the gentleman from Iowa [Mr. Hull] in the lumber business over there—that ships can be had there that will carry this freight that you speak of without giving this extra 10 per cent to American ships?

Mr. STEVENS of Minnesota. There are always some ships available for business in every part of the world, but I will state to the gentleman that if this bill is passed the amount of discrimination provided in this bill may or may not be required. Not a cent of it may be required under the circumstances if sufficient competition be had, and from reports of the Quartermaster-General and Commissioner of Navigation such supply of vessels will be available. On the other hand, it may be possible that this 10 per cent in the maximum may be required.

Mr. CLAYTON. I hope the gentleman will be entirely frank, as he seems to be.

Mr. STEVENS of Minnesota. I think I have been.

Mr. CLAYTON. Then the proposition would be to pay American ships 10 per cent more for the same service than we could get foreign ships to do that service for.

Mr. STEVENS of Minnesota. I am frank to say I am willing if necessary—

Mr. CLAYTON. I am not discussing that. I am simply stating a question of fact.

Mr. STEVENS of Minnesota. Let me complete my answer to the gentleman. I am willing, if necessary for the purpose of establishing a direct line of communication between our country and the Philippines, during the next two years, to pay an additional 10 per cent. It may or may not be necessary after that. The gentleman should know that a line of communication between the United States and the Philippine Islands must be established; that foreign vessels could not afford it, since they could continue in business only two years, and that precludes any direct service except under our flag, and it strikes the committee, under the circumstances, that it would be an advantage to have this line commence right now, and we can well afford, if necessary, to give \$35,000 this year for that purpose.

Mr. CLAYTON. And this is a proposition to pay \$35,000 for the privilege of letting it go in American ships.

Mr. STEVENS of Minnesota. At the maximum. It may not cost a cent. It may cost \$35,000 a year for two years.

Mr. CLAYTON. Do you not think that it would be better to save that \$35,000 for the taxpayers rather than give it to the ship-owners?

Mr. STEVENS of Minnesota. My impression is if we could have our ships employed between the United States and the Philippine Islands for the purpose of carrying our mail, passengers, and freight it is well worth \$35,000 a year.

Mr. CLAYTON. I do not agree with the gentleman.

Mr. STEVENS of Minnesota. I reserve the balance of my time.

Mr. COCHRAN. Would not the passage of this bill serve notice on the foreign shipowners that in competition with the American ship henceforth they must expect to have 10 per cent added on the bid made by the American ships?

Mr. STEVENS of Minnesota. I do not think it would make any difference with the bids of any foreign ships; whenever it would pay the foreign ships would do the business, if their bids be 11 per cent less than bids of American ships.

Mr. COCHRAN. Does not the gentleman think the American ship would get the 10 per cent more in the bidding?

Mr. STEVENS of Minnesota. I think this would be the effect: The foreign ships only would bid that much less, and we would get our freight at that much less rate; so that in the end it would not cost the Government one single cent more, and possibly less, by the passage of this act.

Mr. COCHRAN. Would not they retire the foreign ships?

Mr. STEVENS of Minnesota. Not at all. It would just have the contrary effect of reducing freight. The quantity of ships, domestic and foreign, is ample for all sorts of competition.

Mr. COCHRAN. Then this is to get reduced rates instead of increasing them.

The SPEAKER. Does the gentleman yield to the gentleman from Ohio?

Mr. STEVENS of Minnesota. Certainly.

Mr. BROMWELL. I would like to ask the gentleman from Minnesota how this proposed subsidy—because that is what it amounts to—is compared to the ship-subsidy bill.

Mr. STEVENS of Minnesota. Mr. Speaker, this hardly amounts to the dignity of a name. It appears from a communication received from the Quartermaster-General that he can get freight at \$4.50 a ton. Ten per cent of that would be 45 cents a ton.

Mr. BROMWELL. How does that compare with the ship-subsidy bill?

Mr. STEVENS of Minnesota. It might average about 10 per cent.

Mr. BROMWELL. Then would it not be better for these people to wait until we pass the ship-subsidy bill and give them the benefit of the ship subsidy?

Mr. STEVENS of Minnesota. They would be perfectly willing to take whatever assistance they can get out of this bill and at once commence their direct service.

Mr. ROBINSON of Indiana. I would like to ask the gentleman whether these ships are to be manned by American labor.

Mr. STEVENS of Minnesota. Certainly; under an American register the warrant officers must all be American citizens.

Mr. ROBINSON of Indiana. How about the seamen? That was the point of my inquiry.

Mr. STEVENS of Minnesota. There is no law providing as to them unless they come in under the term "officers."

Mr. COCHRAN. Then, in fact, the seamen will be Chinamen.

Mr. STEVENS of Minnesota. I desire to reserve the balance of my time.

The SPEAKER. Does the gentleman from Alabama desire to be recognized in his own right?

Mr. CLAYTON. I do. I yield now to the gentleman from Texas five minutes.

Mr. SLAYDEN. Mr. Speaker, it is very unpleasant to me to see so good a man as the gentleman from Minnesota supporting so vicious a bill. The only merit of this proposition is the fact that the gentleman from Minnesota is supporting it. It is nothing but another form of the ship-subsidy bill. It is a plain, frank proposition to take money out of the Treasury of the United States and vote it into the treasure box of private shipowners.

Now, Mr. Speaker, I am in favor of the citizens of this country doing business. I am opposed to the theory of having the Government doing business that its citizens can do. I am as much opposed to the Government conducting a shipping business as to the Government conducting the business of laying cables and owning telegraph lines.

As soon as it can be done in the interest of economy and not impair the efficiency of the service I shall favor the sale of all Government transports and favor reliance upon private shipping for the transportation of military stores.

I would give the citizens all the freedom possible in the development of commercial enterprises. But I am not in favor and I can not support any measure which undertakes to do in a single instance what the majority of this Congress has not the courage to do wholesale. The ship-subsidy bill has not been brought in here for consideration in this House and probably will not be brought in, but this is exactly the same principle, a direct application to a few individual owners of the theory of the Hanna-Payne bill.

Now, this bill provides:

That the Secretary of War is authorized, in his discretion, to accept the lowest and most suitable bid offered, after inviting competition as required by law, for transporting Government supplies, when necessary, across the Pacific Ocean to and from the Philippines in American-built ships when ships owned by the Government are not available.

Now, without desiring to cast any reflection at all upon the Secretary of War or the officials of the War Department, with all of whom my relations are pleasant and cordial and for whom I have the most profound respect, I desire to say that in my judgment this leaves with these gentlemen a dangerous power. Somebody will be called upon to pass upon the question of availability, and I apprehend that when there is a powerful corporation, able to contribute and perhaps willing to contribute to the campaign fund, able and willing to promote the interests of any Administration, I do not care what it may be or who are its officers, the officers who are to determine the question of availability will not have so clear a vision of what constitutes availability as they might have.

This is admitted to be for the interests of lines already established or lines for which steamers are now being constructed, and I can not persuade myself that any corporation now operating steamships or owning steamships plying the Pacific Ocean will abandon them if this bill fails to pass. I believe it is an unjust and improper tax, and I believe it should not and can not pass this House.

Mr. CLAYTON. Mr. Speaker, it is not necessary to make any long argument for or against this bill, but a simple statement of the facts puts the whole matter before the House, so that those

who favor it and those who oppose it can readily understand the measure. It is represented that in certain cases the Government requires the services of vessels belonging to private persons for transporting certain provisions and supplies, such as hay and the like to the Philippine Islands, the Government transports not being suitable or not being wholly adequate for that purpose.

That is one fact. The next fact is that the extra vessels required for this service can be had under existing law at reasonable rates and without the passage of this bill. I believe the report shows what that rate is and will continue to be. The other material fact in this case is that after bids shall have been received by the Secretary of War from the owners of these private vessels for the performance of this extra service—that is, service that it is impossible or inexpedient for the Government transports to perform—then the Secretary of War is authorized not merely to give the preference in awarding the contract to the American-built vessels, but he is authorized to pay them 10 per cent more for the same service than foreign-built vessels shall have bid.

Ten per cent more than the American vessel, perhaps, is paid now for doing that work. I have stated the proposition. You can not differentiate it from a bounty or subsidy. You can not differentiate it from a gratuity to an American vessel for doing the same work that can now be done, and that can be done in the future, without the payment of this extra 10 per cent.

The gentleman said this prepares the way for an American line. Mr. Speaker, this prepares the way for the ship-subsidy bill. It is a ship-subsidy bill. This is the beginning of ship subsidies. This is the first bill on that line, and any man who votes for this proposition might as well, in my judgment, go the whole way and vote for the Hanna-Payne ship-subsidy bill when it comes before this House.

The principle underlying them is the same, and the one can not be distinguished in principle from the other. I hope that gentlemen on this side who believe in paying out the public money for public purposes only and not for the enhancement of private enterprises will vote down this proposition. I repeat, Mr. Speaker, that this is a homeopathic dose of ship subsidy. Let the \$35,000 per annum, with probable increase, be saved to the people's Treasury. I now yield five minutes to my colleague, Mr. UNDERWOOD.

Mr. UNDERWOOD. Mr. Speaker, I see from the report of the committee that in the fiscal year 1901 there was transported from the United States to the Philippine Islands in United States Government vessels 80,000 tons, in United States private vessels 27,000 tons, and in foreign vessels 192,000 tons.

Now, in 1901 we paid for transporting the freight to the Philippine Islands \$3,570,447 to foreign vessels. That to private vessels of the United States we paid \$1,350,000. Now, I do not know how much more freight is to be carried next year than was carried last year, or how much less freight; but if this bill had applied to the transportation of goods from this country to the Philippine Islands for the year 1901, and by this means we had foreign vessels out of competition, or had simply let them carry the freight they carried at that time and saved the 10 per cent additional to private vessels of the United States instead of the amount of \$34,000, as suggested by the gentleman in charge of this bill, the private vessels of the United States would have received under this bill for that year \$100,000 more for the freight they carried than they actually received; because it is needless to say that when you have had foreign vessels actually carrying at least two-thirds of the trade and American vessels carrying only one-third, competition in the years past has regulated the freight rate, and that is the basis on which the freight is being carried to-day. But whenever you say that 10 per cent more shall be received by American vessels than by foreign vessels, then as to that proportion of the freight the American ship is carrying it will receive the additional 10 per cent, because every shipowner knows the profit at which he can afford to carry freight and at which his rival can afford it, and necessarily if he is to receive a bonus so far as concerns the freight he can carry he will bid 9 or nearly 10 per cent more than he thinks his competitor can carry for, and then the competitor will have only the surplus freight.

That is all there is in this matter. This is not a bill to provide ships for carrying this material, because during the height of the late war, when we were rushing troops to the front, when we demanded every ship that we could get to carry our supplies and troops, we got them. The exigencies of the occasion do not require more vessels to-day than they did then.

What, then, is the result? The only result is that you propose by this legislation to say that you will pay the shipowner for carrying freight to the Philippine Islands 10 per cent more next year than you paid last year.

Why should you do so? Is there any good reason why the American shipowner should receive more for carrying freight next year than he did last year? He carried it last year; he competed last year with the foreign ships; and he carried so much of



our merchandise to the Philippine Islands as the profit of the trade justified him in carrying. Of course he will carry next year, if you leave the situation alone, just such amount of the freight as the profit of the business will justify him in carrying, and no more.

Now, if this is a bill to build up shipping on the Pacific coast, why does not the gentleman from Minnesota say so? But you can not build up shipping in a day. If that is the purpose, is this measure going to stay on the statute books for all time? It seems so from the way the bill is drafted. From now until the dawn of eternity are we to go on paying to American shipowners 10 per cent more than the amount they would receive in the natural and orderly course of business? There is no reason for it. Those ships are thriving or they would not be in business; and if the business justifies it there will be other ships built to continue and take up this business. If the business does not justify it—

[Here the hammer fell.]

Mr. CLAYTON. Mr. Speaker, how much time have I remaining?

The SPEAKER. Nine minutes.

Mr. CLAYTON. I yield two minutes to the gentleman from Tennessee [Mr. SNODGRASS].

Mr. SNODGRASS. Mr. Speaker, of course two minutes are altogether inadequate for the expression of my opinions upon this bill. I believe it is a ship-subsidy bill on a small scale. If we can pass a bill of this kind, I do not think there is any limitation whatever upon the expenditure of the public money. This is a proposition simply to take money derived from taxation of the whole people and bestow it as a gratuity upon a certain shipping class. If that can be done, there is no limitation upon the expenditure of the public money at all. That is all I have to say about the question. I shall take great pleasure in voting against this bill.

Mr. CLAYTON. I yield four minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Speaker, not one of us but has considered the vast sum paid by our people to foreign shipowners and the figure this item cuts in the balance of trade between the United States and the Old World. Mere casual consideration of these figures must lead to the conclusion that American ownership of ships is far more important than the country in which ships may be constructed.

To have our shipping owned in the United States, so that all the profit growing out of the traffic between our country and other countries would inure to Americans, would have a tendency to rectify the adverse balance of trade which, first and last, has been quite inconvenient.

I suppose, also, we have heard all the argument made—and it has great force—that with a large merchant marine, we would have constantly in training the seamen necessary to meet any emergency in manning our war ships. Nobody can deny that this argument has great force. Nothing in any plan to subsidize ships, thus far brought forward, has had any reference to either of these propositions. At this time, when the Congress has under consideration a bill to subsidize American ships, that prince of the household of the "captains of industry," J. Pierpont Morgan, is spending most of his time in Europe for the purpose of effecting a consolidation of shipping interests, foreign and domestic, so that foreign capitalists may participate in the benefits of such a measure.

Whenever the question arises in such a way as to affect labor—American labor—objection is made. We find gentlemen on this floor insisting that there must be no prohibition of the employment of Chinamen as seamen on our commercial vessels. So that neither American labor nor American capital is considered by the authors of these subsidy bills.

You can not name a single syllable in this bill which would prevent foreigners—a London corporation with an American directory of five or six people—from owning every ship that is to sail between our ports and the Philippine Islands. It is altogether certain, taking the history of our great railroad system as a criterion, if we shall subsidize our ships and make them sufficiently profitable, a favorite on the London Stock Exchange will be "American shipping bonds," "American shipping stocks," and probably a greater amount of these securities will be held abroad than in the United States. Thus the profits of the shipping we are to build up with subsidies will continue to go to foreigners.

There is absolutely nothing in any of these measures having any object except to enable the international money syndicate, the stock jobbers of the capitals of this country and foreign countries, to reach into the Treasury of the United States and take money out that they have not earned. The real cause of the financial cataclysms and disasters which have afflicted this generation is the partnership existing between London, New York, and Boston during the building of the transcontinental lines. Some would tell you these lines were built with foreign capital.

I deny it. None of the great arterial roads of this country were built with foreign capital. They were built with domestic bonds, domestic subsidies, and after they were built they were consolidated by international stock jobbers, who straightway loaded them down with watered securities.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. CLAYTON. Mr. Speaker, I yield the balance of my time to the gentleman from Mississippi [Mr. WILLIAMS].

The SPEAKER. The gentleman has four minutes remaining.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I object to this bill for two reasons, each one of them fundamental in its character, in my opinion. First, I believe that it is the duty of the Government always, and in this case as much as in any other, to procure the performance of public service at the least possible expense to the public Treasury, and therefore at the least possible cost to the taxpayers, who keep the public Treasury replete with money. My second objection grows out of what was said by the gentleman from Minnesota [Mr. STEVENS]. He told us that if this bill were passed it would result in the creation and operation of two or three shipping lines from ports of the United States to the Philippine Islands. If that is true, Mr. Speaker, then the effect of this bill would be to create just that much more vested interest, dependent for its prosperity, if not for its very life, upon the permanent retention of the Philippine Islands.

I am very desirous of seeing the American people left free to consider and pass upon the great and vital question as to whether we shall or shall not permanently retain the Philippine Islands as a part of American territory, free as far as possible from financial, corporate, and other influences. I am very desirous to see us do nothing which shall result in creating great vested interests, which shall render it more and more difficult every day for us to cut loose from Asiatic territory and from oriental populations. It seems to me that that is the vital objection to this bill, because if we do pass it and if these lines are created we have called into being just one more interest to confuse and to corrupt the jury which is to pass upon this question, namely, the American voter—to bribe, in other words, a part of the jury by making it to their personal interest, whether it is to the public and national interest and interest of the perpetuity of our institutions or not, to remain permanently in control of the Philippine Islands. That is all I wanted to say, Mr. Speaker.

Mr. STEVENS of Minnesota. Mr. Speaker, how much time have I left?

The SPEAKER. Six minutes.

Mr. STEVENS of Minnesota. Mr. Speaker, I yield three minutes to the gentleman from Washington [Mr. JONES].

Mr. JONES of Washington. Mr. Speaker, this is certainly a very small bill to create such a furor. It is a bill of considerable importance, however. I do not care to say very much about it, because I realize that under the rule if our Democratic friends vote solidly against the bill, even though the Republican members vote solidly for it, the bill will fail, since it requires a two-thirds vote for its passage under the rules as we are now acting.

It seems to me that the figures cited in this report and the figures read by the gentleman from Alabama [Mr. UNDERWOOD] would show us that some good should result from this bill, and that our pride as Americans should lead us even to sacrifice a little, even a few dollars, in order to secure the carrying of American supplies, especially of Government supplies, in American vessels. Last year, as he read, we paid to the owners of foreign-built ships over \$3,500,000 for the carrying of Government supplies. The year before we paid over \$3,000,000 also. We paid to the owners of the vessels built in our own yards only a little over \$1,000,000.

Now, I want to say to the members of this House that so far as I am concerned I would be willing to pay the 10 per cent, even in my own private business, in favor of American industries, in favor of the products of American labor, in favor of the encouragement of American producers, in preference to foreign labor and foreign products, and I believe that the Government could well afford to pay even 10 per cent, if it were necessary, in the carrying of its own supplies in the vessels of its own citizens, thereby encouraging its own labor and its own capital to that extent. But it does not follow that under this bill the Government would pay 10 per cent more. American vessels are competing in bids with foreign-built ships, and if the American vessel comes within 1 per cent of the bid of the foreign-built ship, as it now is, the Secretary of War has no discretion.

He must award the contract to the foreign-built ship; but under this bill, if an American vessel bids within 1 per cent, then he has discretion to allow the home vessel to carry the goods. Should he not have such discretion? It seems to me that every loyal American citizen and everyone who desires to see our own industries prosper—to see our goods transported under the American

flag—would be willing to pay 1 per cent, 2 per cent, 5 per cent, or even 10 per cent more in order to secure this business for our own people, and that is all that this bill does. If they do not bid within 10 per cent, then it goes to the foreign-built ships. If they bid within 10, 7, 5, 3, or 1 per cent, then they get the contract, and they ought to have it.

The gentleman from Tennessee asks whether the Quartermaster-General recommended this bill or not. He does not in this report, but I violate no confidence when I say that the Quartermaster-General personally is heartily in favor of this proposition, and the Secretary of War says he "warmly approves" it. As the gentleman from Minnesota [Mr. STEVENS] has said, this bill may mean the spending of a small additional sum by the Government, and it may mean the expenditure of not one cent additional. The benefits accruing from it will far exceed the outlay. There is a scarcity of American ships on the Pacific now. There are many building that with the least encouragement will go into the trade. With the Government supplies to transport and with the other business that will come they can make regular sailings to and from the Philippines and the Pacific coast. Even if the Government should pay a little more, the increased competition will lower freight rates to our own citizens. This is a benefit that should not be overlooked.

This bill affects the entire Pacific coast alike. No one city has an advantage over another by reason of the terms of this bill. If any line is contemplated by reason of the going into effect of our navigation laws in 1904 this bill will hasten this rather than retard. If any city has not the ships I am sure it would rather the trade should be done in our own ships than by those of foreigners. The simple proposition seems to me to be "Do we prefer our own Government to transport its own supplies under a foreign flag and in foreign ships, thereby employing foreign labor and capital, rather than in our own ships, under our own flag, and employing our own capital and labor, even if it costs a few cents more?" You may vote for the foreign ship; I will vote for the American ship, and I have no fears of the verdict of the American people on such a proposition. [Applause.]

Mr. STEVENS of Minnesota. Mr. Speaker, just one suggestion. As the gentleman from Washington [Mr. JONES] said, this bill does not amount to much. The Army has been reduced from forty-five or forty-six thousand men in the Philippines to twenty thousand next year.

Mr. HULL. Reduced from 62,000 men.

Mr. STEVENS of Minnesota. As the chairman of the Military Affairs Committee corrects me, the Army has been reduced from 62,000 men in the Philippines down to 20,000 next year. The supply of horses has already been mainly transported. The Department last year has finished a large freight ship, the *Samoa*, so that nearly all the freight will go by the Government lines.

The freights have been reduced from \$7.39 per ton last year to about \$4.50 per ton at the present time; so that all it will amount to during the next year will be, as I said, about 70,000 tons, according to the best estimate that can be made, and a discrimination may be allowed of about 50 cents a ton. Now, this small additional amount may or may not be necessary, according to the conditions of competition. Not 1 cent may be necessary, but if it is necessary, and if it results in starting one line or two lines or three lines to the Philippines—whether those islands are to remain with us permanently or not is not the question—if it results in starting one line or two lines or three lines to the Philippines, it seems to me that this money will be well expended. Now, Mr. Speaker, I ask for a vote.

Mr. SHAFROTH. I would like to ask the gentleman a question.

Mr. STEVENS of Minnesota. Yes.

Mr. SHAFROTH. The gentleman says most of the freight will be carried by Government vessels.

Mr. STEVENS of Minnesota. Yes.

Mr. SHAFROTH. Do you know whether it is the policy of the War Department to sell the transports or not?

Mr. STEVENS of Minnesota. No, sir; not a word has been said on that subject.

Mr. SHAFROTH. I notice that two vessels—the *Buford* and the *Grant*—have been advertised for sale.

Mr. STEVENS of Minnesota. Nothing has been said before the committee on that subject.

Mr. SHAFROTH. You do not know anything about the policy of the Government on that subject?

Mr. STEVENS of Minnesota. The policy of the Government for the next year, at least, will be to retain all the vessels that can be used for the Government business.

Mr. CLAYTON. You say this bill authorizes the payment of this extra 10 per cent if necessary. I should like to know of the gentleman if he ever knew of a case where anybody was authorized to draw a cent out of the Treasury that the money was not drawn out?

Mr. STEVENS of Minnesota. Yes; I know of a great many cases, and this may be one of them.

The SPEAKER. The question is on the motion of the gentleman from Minnesota to suspend the rules and pass the bill.

The question being taken,

The SPEAKER said: In the opinion of the Chair, the bill has failed to receive a two-thirds affirmative vote.

Mr. STEVENS of Minnesota. I ask for a division, Mr. Speaker. The House divided; and there were—ayes 78, noes 66.

So (two-thirds not voting in favor thereof) the motion to suspend the rules and pass the bill was lost.

Mr. PAYNE. I yield to my colleague.

#### BILLS FROM COMMITTEE ON INDIAN AFFAIRS.

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the resolution which I handed up a moment ago.

The Clerk read as follows:

*Resolved*, That at 5 o'clock p. m. on Tuesday, June 17, and Wednesday, June 18, the House take a recess until 8 o'clock p. m., and then remain in session not later than 10.30 o'clock p. m., at which sessions it shall be in order to consider bills reported from the Committee on Indian Affairs, and no other business shall be in order during such sessions.

Mr. CANNON. I hope the gentleman will modify that motion so that we can complete the deficiency bill.

Mr. SHERMAN. I am willing to accept any suitable suggestion.

Mr. CANNON. The gentleman understands that we have only Wednesday for the deficiency bill.

Mr. SHERMAN. Say we do not say the recess shall be taken at 5 o'clock.

Mr. PAYNE. Make it not to interfere with appropriation bills.

Mr. CANNON. I would rather not.

Mr. SHERMAN. I am entirely willing that the gentleman may fix it that the House take a recess at some time. Will you fix the time?

Mr. CANNON. I do not want gentlemen to suppose that we are within an hour of adjournment.

Mr. PAYNE. Suppose he says it shall not interfere with the consideration of appropriation bills.

Mr. SHERMAN. When the House is ready to adjourn, it will take a recess, and there shall be a session from 8 o'clock.

Mr. PAYNE. Make it this way: "Provided, That this order shall not interfere with the consideration of general appropriation bills."

Mr. SHERMAN. That is entirely satisfactory.

The SPEAKER. Without objection, the gentleman modifies his resolution so that it will read as follows:

*Resolved*, That at 5 o'clock on Tuesday, June 17, and Wednesday, June 18, the House shall take a recess until 8 o'clock p. m., and then remain in session not later than 10.30 o'clock p. m., at which sessions it shall be in order to consider bills reported from Committee on Indian Affairs, and no other business shall be in order during such sessions: *Provided*, That this order shall not interfere with the consideration of general appropriation bills.

Mr. CANNON. That does not make it any better. Then we would have to take a recess at 5 o'clock.

Mr. RICHARDSON of Tennessee. That forces the recess at 5 o'clock.

Mr. SHERMAN. I want to modify that suggestion—that the House take a recess until 6 o'clock.

Mr. CANNON. But suppose we want to go beyond 6 o'clock.

Mr. PAYNE. Let it be that on the second day the House shall take a recess after the completion of the appropriation bill.

Mr. SHERMAN. I will modify the resolution so as to strike out the entire question of the hour of taking a recess and provide that there shall be a session from 8 o'clock until 10.30 for the purpose of considering bills reported from the Committee on Indian Affairs.

Mr. CANNON. Not to interfere with appropriation bills.

The SPEAKER. Without objection, the gentleman will be permitted to make the following change in his motion, which the Clerk will report.

The Clerk read as follows:

*Resolved*, That on Tuesday, June 17, and Wednesday, June 18, the House shall hold evening sessions, beginning at 8 o'clock p. m. and remaining in session not later than 10.30 o'clock p. m., at which sessions it shall be in order to consider bills reported from the Committee on Indian Affairs, and no other business shall be in order during such sessions.

The SPEAKER. The question is on suspending the rules and agreeing to the resolution.

Mr. CANNON. Just for the sake of asking a question, I demand a second, and ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Illinois demands a second, and asks unanimous consent that the second may be considered as ordered.

Mr. CANNON. I want to ask the gentleman from New York what is the nature of the business to be brought up?

Mr. SHERMAN. Mr. Speaker, the business of greatest importance is the Creek and Cherokee treaties, the failure of the



ratification of which at this session would very materially delay the completion of the work of the Dawes Commission. There are some other treaty bills and some other minor legislative matters, some involving appropriations and some of them that do not. But the gentleman realizes that in an evening session of that kind it will practically require unanimous consent to pass anything, so that I think there is no possible danger of the Treasury being looted or obnoxious and vicious legislation being enacted.

Mr. CANNON. I think that in the matter of the ratification of treaties with the Indians there ought to be a full House, and not tired.

Mr. WILLIAMS of Mississippi. I would like to ask the gentleman whether these treaties to be considered include the treaty with the Mississippi Choctaws?

Mr. SHERMAN. Yes.

Mr. SHAFROTH. Would it not be well to let these bills be considered in Committee of the Whole at night, and then be called up for consideration in the House?

Mr. SHERMAN. Mr. Speaker, I think this is an order which everybody understands in effect means that we can only pass such legislation as would pass by a unanimous vote. We can not hope to have a quorum. When we pass this resolution all gentlemen realize that there will not be a quorum, and anybody can prevent any legislation they desire—any single individual. There can be no doubt about that.

The SPEAKER. The question is on suspending the rules and passing the resolution.

The question was taken; and (in the opinion of the Chair two-thirds voting in favor thereof) the rules were suspended and the resolution was passed.

#### ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 13278. An act granting an increase of pension to Levi H. Collins;

H. R. 12420. An act granting a pension to Wesley Brummett;

H. R. 12865. An act regulating the use of telephone wires in the District of Columbia;

H. R. 12828. An act granting a pension to Mary E. Culver;

H. R. 4103. An act granting a pension to William C. Hickox;

H. R. 8794. An act granting an increase of pension to Henry I. Smith;

H. R. 10545. An act granting an increase of pension to Solomon P. Brockway;

H. R. 7679. An act granting an increase of pension to Franklin Snyder; and

H. R. 9334. An act to amend an act to prohibit the passage of special or local laws in the Territories to limit Territorial indebtedness, and for other purposes.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the following titles:

S. 3057. An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands;

S. 6030. An act authorizing the Newport Bridge, Belt and Terminal Railway Company to construct a bridge across the White River in Arkansas;

S. 3992. An act granting an increase of pension to David M. McKnight; and

S. R. 105. Joint resolution supplementing and modifying certain provisions of the Indian appropriation act for the year ending June 30, 1903.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4308. An act for the relief of Katie A. Nolan—to the Committee on Claims.

S. 587. An act for the relief of A. M. Darling, administrator—to the Committee on Indian Affairs.

S. 1792. An act to amend an act entitled "An act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property"—to the Committee on Interstate and Foreign Commerce.

Mr. PAYNE. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 47 minutes p. m.) the House adjourned.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Rob-

ert R. Veitch, administrator of estate of Septimus Brown, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Interior, relating to the printing of United States maps and to a report and joint resolution of the House relating thereto—to the Committee on Printing, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. OVERSTREET, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 14898) relating to jurisdiction on appeals in the court of appeals of the District of Columbia and transcripts on appeals in said court, and to quiet title to public lands, reported the same with amendment, accompanied by a report (No. 2555); which said bill and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4982) granting an increase of pension to John Fler, reported the same without amendment, accompanied by a report (No. 2498); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2409) granting an increase of pension to John A. Rotan, reported the same without amendment, accompanied by a report (No. 2499); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5052) granting an increase of pension to Gilbert Barkalow, reported the same without amendment, accompanied by a report (No. 2500); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1743) granting an increase of pension to Cornelia F. Whitney, reported the same without amendment, accompanied by a report (No. 2501); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4494) granting an increase of pension to Oscar Van Tassel, reported the same without amendment, accompanied by a report (No. 2502); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1193) granting an increase of pension to Jane M. Meyer, reported the same without amendment, accompanied by a report (No. 2503); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4088) granting an increase of pension to Henry Jennings, reported the same without amendment, accompanied by a report (No. 2504); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5361) granting an increase of pension to Martha A. Johnston, reported the same without amendment, accompanied by a report (No. 2505); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3668) granting a pension to Hulda Milligan, reported the same without amendment, accompanied by a report (No. 2506); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1801) granting an increase of pension to James K. Van Matre, reported the same without amendment, accompanied by a report (No. 2507); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5500) granting an increase of pension to Angus Cameron, reported the same without amendment, accompanied by a report (No. 2508); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3505) granting an increase of pension to Matthew B. Noel, reported the same without amendment, accompanied by a report (No. 2509); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5648) granting an increase of pension to Frederick Bulkley, reported the same without amendment, accompanied by a report (No. 2510); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2109) granting an increase of pension to Charles C. Davis, reported the same without amendment, accompanied by a report (No. 2511); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3341) granting an increase of pension to Robert H. Busted, reported the same without amendment, accompanied by a report (No. 2512); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5782) granting an increase of pension to Lucy A. Turner, reported the same without amendment, accompanied by a report (No. 2513); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2638) granting an increase of pension to David O. Carpenter, reported the same without amendment, accompanied by a report (No. 2514); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5534) granting an increase of pension to Abbie C. Bremner, reported the same without amendment, accompanied by a report (No. 2515); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2056) granting an increase of pension to David J. Newman, reported the same without amendment, accompanied by a report (No. 2516); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4141) granting an increase of pension to John Cook, reported the same without amendment, accompanied by a report (No. 2517); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5491) granting an increase of pension to John R. Sandbury, reported the same without amendment, accompanied by a report (No. 2518); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3493) granting an increase of pension to Charles W. Rose, reported the same without amendment, accompanied by a report (No. 2519); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 959) granting an increase of pension to William H. Green, reported the same without amendment, accompanied by a report (No. 2520); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4727) granting an increase of pension to Isaac Rhodes, reported the same without amendment, accompanied by a report (No. 2521); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3819) granting an increase of pension to William A. P. Fellows, reported the same without amendment, accompanied by a report (No. 2522); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4393) granting an increase of pension to William M. Hodge, reported the same without amendment, accompanied by a report (No. 2523); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4348) granting an increase of pension to James Thompson, reported the same without amendment, accompanied by a report (No. 2524); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5321) granting a pension to Rebecca H. Geyer, reported the same without amendment, accompanied by a report (No. 2525); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5882) granting an increase of pension to Merzellah Merrill, reported the same without amendment, accompanied by a report (No. 2526); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3506) granting an increase of pension to Stanley M. Caspar, reported the same without amendment, accompanied by a report (No. 2527); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3781) granting an increase of pension to George A. Mercer, reported the same without amendment, accompanied by a report (No. 2528); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5893) granting an increase of pension to Willie Thomas, reported the same without amendment, accompanied by a report (No. 2529); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5913) granting a pension to Cherstin Mattson, reported the same without amendment, accompanied by a report (No. 2530); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2935) granting a pension to Joanna Rommel, reported the same without amendment, accompanied by a report (No. 2531); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3212) granting a pension to Ellen A. Sager, reported the same without amendment, accompanied by a report (No. 2532); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5719) granting an increase of pension to Sidney N. Lund, reported the same without amendment, accompanied by a report (No. 2533); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2542) granting an increase of pension to L. D. Trent, reported the same with amendments, accompanied by a report (No. 2534); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8254) granting an increase of pension to John R. Curry, reported the same with amendments, accompanied by a report (No. 2535); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8247) granting an increase of pension to Francis M. McCoy, reported the same with amendment, accompanied by a report (No. 2536); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8175) granting an increase of pension to John W. Covey, reported the same with amendments, accompanied by a report (No. 2537); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14789) granting a pension to David Brobst, reported the same with amendments, accompanied by a report (No. 2538); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10858) granting an increase of pension to John H. Dittman, reported the same with amendments, accompanied by a report (No. 2539); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13262) granting an increase of pension to James M. Spencer, reported the same with amendment, accompanied by a report (No. 2540); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14373) granting an increase of pension to W. H. Loyd, reported the same with amendments, accompanied by a report (No. 2541); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14957) granting an increase of pension to Mathias Custer, reported the same with amendments, accompanied by a report (No. 2542); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11694) granting an increase of pension to Dennis F. Andre, reported the same with amendment, accompanied by a report (No. 2543); which said bill and report were referred to the Private Calendar.



Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11289) granting a pension to Elizabeth M. Sale, reported the same with amendment, accompanied by a report (No. 2544); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12474) granting a pension to Levin W. Bothum, reported the same with amendment, accompanied by a report (No. 2545); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11699) granting a pension to Mary E. Morgan, reported the same with amendment, accompanied by a report (No. 2546); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11280) granting an increase of pension to Henry J. Feltus, reported the same with amendment, accompanied by a report (No. 2547); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11494) granting a pension to Henrietta A. Buell, reported the same with amendments, accompanied by a report (No. 2548); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7851) granting a pension to Jennie H. Cramer, reported the same with amendments, accompanied by a report (No. 2549); which said bill and report were referred to the Private Calendar.

Mr. RUMPLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5057) granting an increase of pension to Alfred J. Isaacs, reported the same with amendments, accompanied by a report (No. 2550); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 714) granting an increase of pension to Frederick Hart, reported the same with amendment, accompanied by a report (No. 2551); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4179) granting a pension to Romantus Lake, reported the same with amendments, accompanied by a report (No. 2552); which said bill and report were referred to the Private Calendar.

Mr. WATSON, from the Committee on Naval Affairs, to which was referred the bill of the Senate (S. 1949) to authorize the Secretary of the Navy to appoint G. H. Paul a warrant machinist in the Navy, reported the same without amendment, accompanied by a report (No. 2554); which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. SCOTT: A bill (H. R. 15126) for the relief of ex-Union prisoners of war—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 15127) to refund to the State of Texas the sum of \$50,875.53, the same being the amount due the State of Texas in the adjustment of claims relating to the transfer of Greer County, Oklahoma Territory, from the State of Texas to the United States—to the Committee on Claims.

By Mr. STEELE: A concurrent resolution (H. C. Res. 56) to print a Congressional directory—to the Committee on Printing.

By Mr. BURKE of South Dakota: A resolution (H. Res. 306) requesting information from the Attorney-General—to the Committee on Appropriations.

By Mr. JOY: A resolution (H. Res. 307) for the payment of \$250 for additional clerical services rendered the Committee on Accounts—to the Committee on Accounts.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BURKE of South Dakota: A bill (H. R. 15128) to reward certain Sioux Indians for the rescue of white captives and their compensatory payment of ponies—to the Committee on Claims.

By Mr. CANNON: A bill (H. R. 15129) granting an increase of pension to Ira Bacon—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 15130) granting an increase of pension to Mahlon M. Lucky—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 15131) granting an increase of pension to Luther St. John—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 15132) for the relief of Serenus Kilbourne—to the Committee on Military Affairs.

By Mr. MICKEY: A bill (H. R. 15133) granting an increase of pension to William H. H. Westbrook—to the Committee on Invalid Pensions.

By Mr. MOODY of Oregon: A bill (H. R. 15134) granting a pension to Chancy Akin—to the Committee on Pensions.

By Mr. REEDER: A bill (H. R. 15135) granting an increase of pension to Hiram Bundy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15136) granting an increase of pension to Benjamin F. Lambert—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 15137) granting a pension to Clark J. Hogoboom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15138) granting a pension to Mary J. Chenoweth—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 15139) for the relief of the estate of Samuel A. Spencer—to the Committee on War Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELL: Petition of M. J. McMillin and 4 other citizens of Carlton, Colo., in favor of House bill 6565, for the marking and tagging of manufactured fabrics—to the Committee on Ways and Means.

By Mr. BOWERSOCK: Resolutions of the Southern Kansas Millers' Club, favoring the adoption of such reciprocal treaties as will place the millers of America on an equal commercial basis with foreign competitors—to the Committee on Ways and Means.

By Mr. BROMWELL: Petition of numerous citizens of Cincinnati, Ohio, in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. CANNON: Papers to accompany House bill granting an increase of pension to Ira Bacon—to the Committee on Invalid Pensions.

By Mr. DOVENER: Papers to accompany House bill 3489, granting an increase of pension to Beckwith A. McNamar—to the Committee on Invalid Pensions.

By Mr. DRAPER: Resolution of Jewelers' Association and Board of Trade, New York, in favor of House bill 13679, amending the bankruptcy law—to the Committee on the Judiciary.

By Mr. HANBURY: Papers to accompany House bill 14479, granting an increase of pension to Lewis Leavens—to the Committee on Invalid Pensions.

By Mr. HITT: Petition of the Woman's Christian Temperance Union of Forrester, Ill., in favor of the Shattuck immigration bill—to the Committee on Immigration and Naturalization.

By Mr. KETCHAM: Petition of 36 citizens of Redhook, N. Y., in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. LACEY: Resolutions of Mine Workers' Union No. 671, of Seavers, Iowa, favoring the passage of the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, petition of the board of supervisors of Wayne County, Ill., in favor of House bill 8325—to the Committee on the Public Lands.

By Mr. LITTLEFIELD: Resolutions of the Portland Yacht Club, of Portland, Me., in favor of a law to pension men of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. MOODY of Oregon: Paper to accompany House bill for the relief of Chang Akin—to the Committee on Pensions.

By Mr. OTJEN: Resolutions of the common council of Milwaukee, Wis., in favor of a law to pension men of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON of Tennessee: Petition of Richard P. Perkins, of Crawford County, Ark., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBERTS: Resolutions of the selectmen of the town of Winthrop, Mass., for increase of pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. RUPPERT: Resolution of the Jewelers' Association and Board of Trade, urging the passage of House bill 13679, amending the bankruptcy law—to the Committee on the Judiciary.

By Mr. RYAN: Resolutions of the East Buffalo Live Stock Association, of Buffalo, N. Y., favoring a bill to authorize

the Mather Power Company to construct experimental span in Niagara River at Buffalo, N. Y.—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Jewelers' Association and Board of Trade of New York City, favoring the Ray bankruptcy bill—to the Committee on the Judiciary.

Also, protest of the Pure Oil Company, of Pittsburg, Pa., against the passage of the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. SMITH of Kentucky: Papers relating to the claim of Rebecca Spencer for board and attention given to sick soldiers and for feeding soldiers during the civil war—to the Committee on War Claims.

By Mr. STEVENS of Minnesota: Resolution of St. Paul Turnverein, in favor of the South African republics—to the Committee on Foreign Affairs.

By Mr. SUTHERLAND: Petition of D. L. Sprague and other citizens of Utah, in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. WRIGHT: Resolutions of Pomona Grange, No. 7, of Susquehanna County, Pa., favoring House bills 3521 and 3575, to enlarge the jurisdiction of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

## SENATE.

TUESDAY, June 17, 1902.

The Senate met at 11 o'clock a. m.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore, Without objection, the Journal will stand approved.

### OKLAHOMA, ARIZONA, AND NEW MEXICO.

Mr. QUAY. Mr. President, I desire to give notice at this time that on Thursday next, after the conclusion of the voting upon the Nicaragua Canal bill, I shall move to discharge the Committee on Territories from the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States, and that the Senate shall proceed to the consideration of the bill.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had passed with amendments the following bills; in which it requested the concurrence of the Senate:

A bill (S. 640) to extend the provisions, limitations, and benefits of an act entitled "An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and Seminole war;"

A bill (S. 4850) to increase the pensions of those who have lost limbs in the military or naval service of the United States or are totally disabled in the same; and

A bill (S. 5269) to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, late President of the United States.

The message also announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 10933) to provide for the erection, at Fredericksburg, Va., of the monument to the memory of Gen. Hugh Mercer, which it was ordered by Congress, on the 8th day of April, 1777, should be erected;

A bill (H. R. 12141) to amend an act entitled "An act amending section 4708 of the Revised Statutes of the United States, in relation to pensions to remarried widows; and

A joint resolution (H. J. Res. 6) in relation to monument to prison-ship martyrs at Fort Greene, Brooklyn, N. Y.

### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 3057) appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands;

A bill (S. 3992) granting an increase of pension to David M. McKnight;

A bill (S. 3060) authorizing the Newport Bridge, Belt and Ter-

minial Railway Company to construct a bridge across the White River in Arkansas;

A bill (H. R. 4103) granting a pension to William C. Hickox;

A bill (H. R. 7679) granting an increase of pension to Franklin Snyder;

A bill (H. R. 8794) granting an increase of pension to Henry I. Smith;

A bill (H. R. 9334) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes;

A bill (H. R. 10545) granting an increase of pension to Solomon P. Brockway;

A bill (H. R. 12420) granting a pension to Wesley Brummett;

A bill (H. R. 12828) granting a pension to Mary E. Culver;

A bill (H. R. 12865) regulating the use of telephone wires in the District of Columbia;

A bill (H. R. 13278) granting an increase of pension to Levi H. Collins; and

A joint resolution (S. R. 105) supplementing and modifying certain provisions of the Indian appropriation act for the year ending June 30, 1903.

### PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented resolutions adopted at a mass meeting of citizens of Ticonderoga, N. Y., favoring the purchase by the United States Government of the old forts at Ticonderoga and Crown Point in that State; which were referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Brooklyn, N. Y., praying for the enactment of legislation providing that eight hours shall be the maximum work day in all trades and employments; which was referred to the Committee on Education and Labor.

Mr. CULLOM presented a petition of the Illinois State Agency, of Chicago, Ill., praying for the enactment of legislation providing for the final adjustment and settlement of the swamp-land indemnity due the State of Illinois under the act of Congress approved March 3, 1855; which was referred to the Committee on Public Lands.

He also presented a resolution adopted at the Fifth International Congress of Criminal Anthropology, held at Amsterdam, Holland, favoring the establishment of psycho-physical laboratories for the practical application of physiological psychology to sociological and abnormal or pathological data, etc.; which was referred to the Committee on Education and Labor.

He also presented petitions of the International Association of Machinists, American Federation of Labor, of Springfield; of the International Association of Machinists, American Federation of Labor, of East St. Louis, and of the International Association of Machinists, American Federation of Labor, of Batavia, all in the State of Illinois, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. BLACKBURN presented a petition of sundry citizens of Kentucky, praying for the adoption of certain amendments to the internal-revenue law relative to the tax on distilled spirits; which was referred to the Committee on Finance.

Mr. WELLINGTON. I present a memorial of the general assembly of Maryland relative to the use of Maryland granite in the construction of the United States custom-house at Baltimore, in that State. I ask that the memorial be printed in the RECORD and referred to the Committee on Public Buildings and Grounds.

The memorial was referred to the Committee on Public Buildings and Grounds, and ordered to be printed in the RECORD, as follows:

Joint resolution No. 3.—Joint resolution of the general assembly of Maryland, requesting the Secretary of the Treasury of the United States Government to require the use of Maryland granite in the construction of the United States custom-house at Baltimore, Md.

Whereas a new custom-house is to be constructed by the United States Government at Baltimore, Md., and

Whereas the State of Maryland produces as fine and durable a granite as there is produced elsewhere: Be it

Resolved by the general assembly of the State of Maryland, That the Secretary of the Treasury of the United States Government be, and he is hereby, requested to require that in the construction and erection of the United States custom-house at Baltimore, Md., granite stone produced from the quarries of the State of Maryland be used.

Be it further resolved, That the secretary of state be, and he is hereby, authorized to transmit a copy of these resolutions, under the seal of the State, to the said Secretary of the Treasury of the United States, and to each of the Senators and Representatives now in Congress from this State.

Witness our hands February 19, 1902.

NOBLE L. MITCHELL,  
Speaker of the House of Delegates.  
JOHN HUBNER,  
President of the Senate.

### THE STATE OF MARYLAND, EXECUTIVE DEPARTMENT.

I, John Walter Smith, governor of the State of Maryland, and having control of the great seal thereof, do hereby certify that the foregoing is a